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THE

HISTORY OF ENGLAND

VOL. X

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JAMES II.

THE

History of England

FROM THE FIRST INVASION BY THE ROMANS
TO THE ACCESSION OF KING
GEORGE THE FIFTH

BY

JOHN LINGARD, D.D.

AND

HILAIRE BELLOC, B.A.

With an Introduction

BY

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THE CATHOLIC PUBLICATION SOCIETY
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OF

THE TENTH VOLUME.

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THE

HISTORY OF ENGLAND

VOL. X

AMERICAN LEGION
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HISTORY
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ENGLAND.

CHAPTER I.

CHARLES II.—(*continued*).

PROJECT OF LIMITATIONS—VIOLENCE OF THE HOUSE OF COMMONS—DISSOLUTION OF PARLIAMENT—NEW PARLIAMENT AT OXFORD—REJECTION OF EXPEDIENTS—IMPEACHMENT OF FITZHARRIS—DISSOLUTION—TRIAL AND EXECUTION OF FITZHARRIS—OF PLUNKET—OF COLLEGE—DISCHARGE OF HOWARD, ROUSE, SHAFTESBURY—AFFAIRS OF SCOTLAND—PARLIAMENT—ARGYLE REFUSES THE TEST—IS TRIED, CONDEMNED, AND ESCAPES—FLIGHT AND DEATH OF SHAFTESBURY—RYE-HOUSE PLOT—EXECUTIONS—LORD WILLIAM RUSSELL—COLONEL SYDNEY—PARDON OF MONMOUTH—POWER OF THE DUKE OF YORK—INTRIGUES OF HALIFAX—DEATH AND CHARACTER OF CHARLES.

THOUGH Charles by his spirited opposition to the bill of exclusion had proved his determination to support the interests of his brother, there were many who, judging from his poverty, his love of ease, the facility with which he changed his resolutions, and the ingenuity with which he vindicated those changes to his own satisfaction, ventured to predict that after a short struggle he would, according to his custom, yield to the importunity and perseverance of his opponents. Under this persuasion the exclusionists continued to appeal to the public in behalf of their favourite A.D. 1680.

CHAP. I. A.D. 1680.

measure, by the circulation of pamphlets, speeches, and addresses, and at the same time laboured to make an impression on the mind of the king by the representations of his ministers, of his mistress, of his nephew, and of his allies. 1. Sunderland and Godolphin ceased not to inculcate that his pecuniary wants imposed on him the necessity of propitiating his opponents in parliament. 2. The duchess of Portsmouth, as often as he sought relief from care in her company, harassed him with the repetition of her fears and misgivings. 3. The prince of Orange had not, indeed, the face to advocate openly the exclusion of a prince who was his uncle and father-in-law; but he sufficiently manifested his real wishes, by imploring the king on the one hand to come to a good understanding with his parliament, and on the other to refuse every project of a bill of limitations, because such a bill would necessarily subvert the very foundations of the monarchy.[1] 4. The Spanish ambassador represented to him the unjust and ambitious views of the French monarch, and lamented, but in guarded and respectful terms, those internal dissensions, which rendered the king of England unable to attend either to his own interest or to that of his allies. 5. Last of all came the Dutch ambassador, with a long and laboured memorial, in which the States-general declared that they were at last compelled to speak out by the danger to which they were exposed; that they had endeavoured to please him, till they had drawn upon themselves the enmity of other powers; that the king of France was manifestly aiming at the conquest of the Spanish Netherlands, and of the Dutch commonwealth, while the king of England, from whom they had a right to expect assistance, had tied up his hands by dissension with

[1] Dalrymple, 307.

his parliament, and thought proper to sacrifice the welfare of Europe, of all the Protestant powers, and particularly of the United Provinces, "for so uncertain "a matter as a future succession." It was not their office to dictate to him; but they certainly might pray that, if he were resolved to sacrifice his kingdom, his royal person, and the union of his subjects, he would say so at once, that they might know what they had to expect, and might devise some means to save from destruction the republic and the poor people committed to their care. The tone of this instrument was offensive to the feelings, injurious to the character of the king. He complained of it in strong and resentful language to the States, by whom it was immediately disavowed; and Charles, after some investigation, believed that he had traced it to its real authors, Sunderland, and Sydney the ambassador at the Hague, on one part, and the prince, and Fagel the pensionary, on the other. It failed of its intended effect. Instead of intimidating it offended, and resentment impelled him to refuse what otherwise his indolence might perhaps have conceded.[1]

[1] The memorials of the Spanish and Dutch ambassadors are in Ralph, i. 548—551. See also D'Avaux, i. 59, 62, 63; James, i. 641—643. The complaints against Louis grew out of the new claims which he advanced under the heads of "reunions" and "dependencies." He had established two chambers of justice at Brisac and Metz, which adjudged to him as lord of Alsace and of the three bishoprics of Metz, Toul, and Verdun, all the fiefs, which formerly belonged to the ancient lords of those countries, though separated from them centuries before. By those "reunions" the kings of Sweden and Spain, the elector of Treves, the count palatine, and several princes and prelates were forcibly dispossessed of their ancient rights. The "dependencies" were questions respecting the limits of the territories belonging to the places which the kings of France and Spain had restored or ceded by the treaty of Nimeguen; and as these limits were not specified in the treaty, Louis determined them according to his own interest, and took possession by force. Of the injustice of his pretensions under these two heads no doubt can exist.

CHAP. I. A.D. 1680.

The bill of limitations, to which the prince of Orange alluded, was the work of Lord Halifax, who sought by this expedient to win the friendship, or ward off the vengeance of those whom he had made his enemies by his successful stand against the bill of exclusion. Under his guidance the House of Lords spent the rest of the session in framing a bill for "the "security of the Protestant religion;" and in the committee, which sat from day to day, it was proposed that an association of Protestants should be formed to watch over the king's life, and to revenge his death on the papists, if he should perish by poison or violence; that all Catholics whose rental exceeded one hundred pounds per annum should be banished for life,[1] a clause which offered so many difficulties in the detail, that it was postponed for future consideration; that the duke of York should be disabled from holding office in England, or any country dependent on the crown of England; that at the king's death the parliament then in being, or, if none were in being, the last parliament, should sit for six months; that neither James himself, nor any Catholic successor, should possess any negative voice on bills passed by the two houses; that the right of treating with foreign states, and of appointing to all offices, civil, military, or ecclesiastical, should be reserved to the parliament, while it was sitting, or to a council of forty-one individuals at other times; that the duke of York should be liable to the penalties of treason if he came to England during the king's life, and to the forfeiture of all his property if he resided within five hundred miles of the British shores. When these limitations were communicated to James, he rejected them with indigna-

[1] This was a favourite project with Halifax.—James (Memoirs), i. 594.

tion and scorn. They might leave him the title, but they stripped him of the power of king. They made the monarch a mere pageant, and converted the monarchy into an oligarchy. He wrote to his brother, reprobating the plan in the most vehement language: he conjured him to be on his guard against his republican advisers, and he ceased to consider as his friend the statesman by whom the limitations were devised.[1]

The loss of the exclusion bill provoked much angry discussion in the House of Commons. Some charged the bishops, who opposed it, with having "torn out "the bowels of their mother the church;" Lord Russell declared that if his own father had voted against it he would have been the first to have impeached his parent of high treason; many called for the immediate banishment of all Catholics of property, whether men or women; and others maintained that popery was "so clenched and riveted among us," that neither God nor man could prevent it from being established in the kingdom.[2] With their passions thus excited, the Commons proceeded to gratify their vengeance. At the commencement of the session they had very justly resolved that to petition for the sitting of parliament, or the redress of grievances, is the right of the subject; and now, under the pretence of vindicating that right, they scrupled not to invade other rights still more valuable. By their orders the chief of the "abhorrers" were dragged from their homes in distant counties, brought as delinquents to the bar, and committed to prison during the pleasure of the house. But these arbitrary and illegal arrests were at last checked by Stawell, chairman of the grand

[1] L. Journ. xiii. 684, 740. James (Memoirs), i. 635.
[2] Parl. Hist. 1234—1251. Echard, 1000.

CHAP. I. A.D. 1680.

jury of Devonshire, whose offence consisted in the delivery of an address to the judges at the assizes. He set the messenger at defiance; he knew of no authority in the Commons to arrest him for doing his duty; and the house, to escape from the difficulty, allowed him a month for his appearance, under the pretence that he was indisposed.[1] At the same time they instituted a severe inquiry into the administration of justice. They presented an address for the removal of Jeffreys, the recorder, who had the good sense to propitiate his enemies by a speedy resignation;[2] and they voted impeachments against Scroggs and North, the two chief justices, against Jones, a puisne justice of the King's Bench, and against Weston, a baron of the Exchequer. That these prosecutions originated in political resentment cannot be doubted; yet they proved beneficial to the country, by reminding these petty despots (for such at that period they generally were in the courts of law) that there existed a higher authority than themselves, watchful of their conduct, and ready to punish their exorbitances. But from the judges the house descended to notice the sermons and private discourse of an obscure curate, who had the temerity to call in question the virginity of Queen Elizabeth, the patriotism of Hampden, the loyalty of the petitioners, and the reality of the plot. For

[1] Compare the Journals, Nov. 20, Dec. 4, with North, Examen, 561. This put a stop to the arrest of "abhorrers," and the name of Stawell became a standing toast at the tables of the courtiers.

[2] Though Charles was displeased at the pusillanimity of Jeffreys, he good-humouredly observed, that the recorder was not "parlia "ment proof." Treby, a Whig, succeeded. Soon after, at a court for registering freemen, Bethel, the sheriff, in right of his office, named the duke of Buckingham: and Cornish, the other sheriff, was prepared to name the earl of Shaftesbury, had not the court of aldermen declared Buckingham ineligible. The intention was to make these noblemen freemen, and afterwards lord mayors.—See Seymour's letters in Macpherson, i. 112; and James (Memoirs). i. 651.

these four heinous offences Richard Thompson was brought up from Bristol: his answers at the bar did not give satisfaction; and a committee was appointed to impeach the heterodox divine. But Charles requested their attention to his wants; he was ready to assent to any measure of security consistent with the legal descent of the crown; and demanded to know in return what assistance he might expect from his people. After some violent resolutions, an address was presented stating the dangers to be apprehended from the succession of the duke of York, praying the king to recede from the limitation expressed in his speech, and promising on his compliance to furnish him with money for the equipment of the fleet and the preservation of Tangier. Charles replied, that he did not stand alone, for his objections to the bill of exclusion had been confirmed by the judgment of the House of Lords; but the carriage of this answer was successively declined by Jenkins,[1] Carr, and Godolphin; and its delivery by Temple provoked the following resolutions: that unless the duke of York were excluded, there could be no safety for the government, the life of the king, or the Protestant religion; that in such circumstances the house could not conscientiously vote any supply to his majesty; that the marquess of Worcester, the earls of Halifax and Clarendon, the advisers of the last answer, and the earl of Feversham, were promoters of popery, and enemies to the king and kingdom; that Worcester, Feversham, Lawrence Hyde, and Seymour (he had been called to the council, and warmly advocated the rights of the duke of York), ought to be removed

Dec. 15.

Dec. 21.

1681. Jan. 4.

Jan. 7.

[1] Jenkins was son of a Welsh yeoman, had gradually risen to the office of judge of the Prerogative Court of Canterbury, and was made secretary in 1680.

CHAP. I. A.D. 1681.

from public employment, and from his majesty's presence; and that every man who should lend money to the king upon any branch of the revenue, or accept or buy any tally of anticipation, should be adjudged to hinder the sitting of parliament, and be made responsible for the same in parliament. These votes alarmed the royal advisers, and Charles, in concurrence with their opinion, determined on a dissolution. But whatever passed in the council was immediately communicated to the leaders of the opposition; the

Jan. 10. Commons met at an early hour the next morning, and under the excitement of passion and vexation a series of factious and intemperate resolutions was hastily adopted. They voted that the advisers of a prorogation were traitors to the king, to religion, and the kingdom, promoters of the French interest, and pensioners of France; that the city of London was burnt in 1666 by the papists for the introduction of popery and arbitrary power; that his majesty should be addressed to restore the duke of Monmouth to the offices of which he had been deprived by the influence of the duke of York; and that the enforcement of the laws against dissenters was an encouragement to popery. At this moment the black rod summoned the members to wait on the king in the House of Lords; the speaker rose and followed him; and the lord chancellor, by the royal command, prorogued the par-

Jan. 13. liament for the short space of ten days. A petition, that it might be allowed to sit again at the expiration of that term, was hastily presented from the city; but

Jan. 18. Charles adhered to his resolution; and a proclamation was published, dissolving the parliament, and calling another to meet at Oxford at the end of two months.[1]

[1] Temple, ii. 536, 537. C. Journ. Oct. 30, Dec. 15, 20, Jan. 4,

This selection of Oxford disconcerted, perhaps alarmed, the popular leaders. It would deprive them of the powerful aid which they derived from the agency of several clubs, and of a numerous faction in the city, and would remove them to a place where they hardly possessed a single partisan, and where the fidelity of their followers might be shaken by the offers of the court, or subdued by the presence of the military. Pamphlets in condemnation of the measure issued from the press; the aid of supernatural apparitions was employed;[1] and a petition to the king, remarkable for the boldness of its language, was subscribed by sixteen peers, and presented by Lord Essex. It attributed the choice of Oxford to the counsels of wicked men, favourers of popery, promoters of French interests, and enemies to the happiness of England; it stated that in such a place the two houses would be deprived of freedom of debate, and exposed to the swords of the papists, who had crept into the ranks of the king's guards; and it therefore prayed and advised that the parliament might be held at the accustomed place in the city of Westminster. Charles instantly replied, "That, my lord, may be your opinion; it is not mine:" and soon afterwards sent the secretary to demand the names of the Catholics who served among his guards. Essex was not prepared to answer that question: he

Jan. 25.

7, 10. L. Journ. xiii. 743. Somers' Tracts, viii. 143. State Tracts, ii. 123.

[1] A figure, supposed to be the mother of Monmouth, appeared to Elizabeth Freeman, of Hatfield, on the 24th of January, and said, "Sweetheart, the 15th of May is appointed for the royal blood to "be poisoned." The next day the same apparition said to her, "Tell King Charles from me, and bid him not remove his parlia- "ment, and stand to his council:" on the following, "Do your "message." This tale she confirmed upon oath before two magistrates, who sent it to the king. At the same time it was printed, and spread over the kingdom.—See Ralph, 562.

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knew of none: yet the petition was published in the very words in which it had been presented; and the falsehoods which it contained were circulated through the kingdom. In opposition the earl of Halifax published a tract under the title of "A Seasonable "Address to both Houses of Parliament concerning "the Succession, the Fears of Popery, and Arbitrary "Government." It was written with apparent candour, but severely arraigned the motives of the petitioners, and charged them with sacrificing the tranquillity of the country to the resentment of disappointed ambition.[1]

The interval was employed by the king in endeavours to escape from the difficulties in which he found himself entangled. By his command every individual, believed to possess any influence with the duke of York, advised, conjured, that prince to take the tests, and conform to the established religion. But James was inflexible. He could not, he said, yield to the royal wish with a safe conscience or in sound policy. The reasons which originally withdrew him from the church of England forbade him to return; nor would his conversion at this period be thought sincere, but, instead of disarming his enemies, would furnish them with a new weapon, the charge of hypocrisy, of at-

[1] If we may believe him, the two great pillars, as they were reputed, of the Protestant religion, Buckingham and Shaftesbury, had no religion at all. Essex had joined their party, because he could not obtain the treasurer's staff, or the government of Ireland; Shaftesbury, only a few months before, had offered his services to the duke of York, if he might be restored to the office of chancellor; the earl of Bedford, "whose son (Lord Russell) in the other house "was the great tribune of the people, would have had a dukedom "added to the garter, to make both sing to another tune;" Sir William Jones, Sir Francis Winnington, Colonel Titus, &c. &c. "were disobliged, and, if taken into favour, would stand up for the "court, as much as they now do against it."—Somers' Tracts, viii. 222. See the petition in State Tracts, ii. 129.

tempting to impose by a feigned conformity on the credulity of Protestants. From James the king, according to the advice of that prince, turned his eyes towards the French monarch, but insisted that the first step should be made by his brother, who represented to Louis his own forlorn condition, and earnestly solicited his protection. If that monarch listened to his prayer, it was not through feelings of compassion, but through considerations of personal interest; for he saw that a reconciliation between Charles and his opponents would be followed by an offer of aid to the king of Spain. In a short time it was agreed that the French king should pay to his English brother a subsidy of two millions of livres for the current year, and of five hundred thousand crowns for the two following years, and that Charles should gradually withdraw himself from the Spanish alliance and not permit himself to be led into measures incompatible with his present engagement. This was a most singular treaty. No man was privy to it but Charles and Hyde on the one part, and Louis and Barillon on the other. No signature was required: even the terms themselves were not reduced to writing; each prince was satisfied with the verbal obligation of the other contracting party.[1]

March 14.

On the very day of this agreement Charles proceeded to Oxford, escorted by a troop of horse-guards; the earl of Shaftesbury, the representatives of the city, and the chief of the popular party followed, armed themselves, and attended by armed men, bearing

March 14.

March 17.

[1] James (Memoirs), i. 664. Dalrymple, 191—201. Hume, note to chap. lxix. Though James and the earl of St. Alban's were employed, the one by Charles, the other by Louis, there is reason to believe that they were kept in complete ignorance of the real treaty between Hyde and Barillon.

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round their hats a ribbon with the inscription "No "popery, no slavery." Their unusual appearance excited surprise and suspicion. They were charged with the secret design of placing the sovereign in durance, till he should assent to their demands; but replied that they had no other object than to protect themselves in the case of aggression by an armed force.[1]

The king, secure from the apprehension of poverty by his recent treaty with France, addressed the two houses with the tone and authority of a sovereign. He

March 21. adverted with some show of bitterness to the unwarrantable proceedings of the last parliament. He did not claim arbitrary power himself, nor would he permit it to be exercised by others. He had called them before him that he might give one proof more of his readiness to concur in any reasonable measure for the security of religion and property. He was willing to assent to any expedient by which, in the event of a Catholic prince succeeding to the throne, the administration of government might be retained in the hands of Protestants. But, as he had always made the law the measure of his own conduct, he had a right to insist that *they* should make it the measure of theirs. He would never consent that unnecessary fears should be a pretence for the subversion of the ancient government, nor would he ever depart from his resolution of keeping the succession unbroken.

March 24. The expedient, the promised substitute for the bill of exclusion, which had been suggested by Halifax, and approved by Charles, was immediately laid before the house. It proposed to allay the jealousy of the anti-catholics without interrupting the descent of the

[1] North, 100–102. Dalrymple, 294. Reresby, 120. Burnet, ii. 274, note *a*.

crown, by enacting that James duke of York should be banished to the distance of five hundred miles from the British dominions during the terms of his natural life, that on the death of the reigning monarch he might assume the title of king, but that all the powers of government should be transferred to a regent, to be exercised by that regent in the name of the absent prince; that the regency should belong in the first place to the princess of Orange, and after her to the Lady Anne, and if James should have a legitimate son educated in the Protestant faith, should continue during the minority of such son, and no longer; and that at the same time all Catholics of considerable property should be banished by name, the fraudulent conveyances of their estates should be defeated, and their children should be taken from them, that they might be bred up in the doctrine of the established church.[1]

The king had persuaded himself that this expedient would satisfy the opponents of his brother. By it he yielded the substance of their demands. James, indeed, would inherit the title of king, but it was a mere title, without a shadow of power, or the means of acquiring it; and his banishment, with the banishment of the principal Catholics, and the Protestant education of their children, promised a security against the establishment of popery, sufficient to have tranquillized the jealousy of the most timid, and to have appeased the zeal of the most intolerant. But when the Whig leaders looked around them, and saw the benches covered with the same persons who had supported them in the last parliament, they were betrayed

[1] See it in Ralph, 577; and Life of James, ii. London, 1703; App. p. 44. Reresby, 117.

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into an overweening confidence of victory, and whatever might be the motives by which they were privately actuated, undertook to compel the king to assent to their own measure of total exclusion. They maintained that, except in cases of physical or mental incapacity, the exercise of the regal power was inseparable from the possession of the regal title; that according to the doctrine of the lawyers, the crown takes away every civil disability; and that of course, if the duke of York ever became king, he would have an indefeasible right to the sovereign authority. Their adversaries replied that similar arguments might be employed with equal force against the bill of exclusion. If the power could not be separated from the title, how could the title be separated from the right of governing? If James could be treated as civilly dead, and the title on that account be given to another, why might he not be treated as physically incapable, and the power on that account be transferred to another? After a debate, however, of two days in the House of Commons, the expedient was rejected, and a resolution passed to bring in a bill which should disable James duke of York from inheriting the imperial crowns of England and Ireland, and the dominions thereunto belonging.[1]

March 26.

But here it will be necessary to interrupt the narrative, and call the reader's attention to a dark and mysterious intrigue, the work of two obscure indi-

[1] C. Journ. March 24, 26. Burnet, ii. 269. Parl. Hist. iv. 1308, 1317—1332. It was repeatedly asked in the house why, if religion were the real cause of exclusion, the bill should apply personally to the duke of York, and not generally to every Catholic successor? An amendment to that effect was moved, but was rejected on the suggestion of Hampden, that by aiming at too much, they might perhaps lose all.—Somers' Tracts, viii. 257. Parl. Hist. 1332.

viduals, Fitzharris an Irish, and Everard a Scottish adventurer. They originally became acquainted as volunteers in the French army, and both met some years later in London, to which city each had returned in the hope of bettering his fortune. Fitzharris married the daughter of a naval officer, who had perished in the service of his country; his cousin Mrs. Wall had obtained the important situation of confidential servant to the duchess of Portsmouth; and a pension of two hundred pounds granted by the king to his wife in consideration of her father's death, together with the influence supposed to be possessed by his cousin, taught Fitzharris to attach himself to the interests of the court. He watched with care the secret manœuvres of the opposite party, made important discoveries respecting a libel entitled "The "King Unveiled," brought to the duchess the first information of the design to impeach her, set on foot the negotiation between her and the Lord Howard, and obtained from the king, as a proof that his services were not unwelcome, a remuneration of two hundred or two hundred and fifty pounds. Everard was less fortunate. He had scarcely reached London, when he was committed to the Tower on a charge of conspiring to poison the duke of Monmouth; nor did that nobleman consent to his enlargement till the expiration of four years, when Everard offered to bolster up by his evidence the declining credit of the popish plot. He accordingly made his deposition before Sir William Waller, was admitted to read his "narrative" in presence of both houses, and claimed as his own the merit of one or two scurrilous pamphlets against the administration. Soon after the dissolution it was agreed between these worthies to publish, pre-

Feb. 21

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paratory to the meeting of the new parliament, a libel with the title of "The True Englishman speaking "plain English," which should charge the king himself with being the accomplice of the duke of York, and should summon all true Protestants to unsheathe the sword, and stand by the parliament against the two popish princes. The substance was furnished in notes by Fitzharris; the language and arrangement were intrusted to the superior talent of Everard. There is reason to believe that the sole object of each, in the composition of this work, was to obtain credit and reward by betraying his associate. As soon as it

Feb. 28. was finished, Fitzharris hastened with a copy to the lodgings of the duchess, but was unable to obtain admission. Everard, more astute, had secreted witnesses

March 1. in his room during their interviews: the next day one of these, Sir William Waller, laid an information

March 2. against Fitzharris before the council; and the unlucky intriguer was apprehended, examined, and committed to Newgate.

In prison it was either suggested, or it occurred to him, that his case was not yet desperate: there still remained an expedient which had saved many of his brethren from the gallows: he might turn informer

March 6. against the duke of York and the Catholics. His willingness to give evidence was mentioned by Cornish, the sheriff, to the king, and the two secretaries were

March 8. ordered to take his examination. He deposed, in substance, that the murder of the king was a matter determined on in the councils of the papists; that he himself had received an offer of ten thousand pounds to undertake the task, from Montecuculli, the late agent of the duchess of Modena; that the French army in Flanders was designed to land in England,

while another army under Marshal Bellefonds should sail to Ireland, both in support of the Catholic cause; and that it was proposed, in case of success, to boil down the bodies of the Protestant leaders, and make of them a *sainte ampoule* for the coronation of future Catholic monarchs. This information was too important to be left to the discretion of the secretaries; two days later, Treby, the recorder, and Alderman Clayton, who had distinguished themselves by their zeal in the prosecution of the plot, visited Newgate, and in their capacity of magistrates took a second time the prisoner's deposition. It was intended to make Fitzharris act the same part as Dangerfield had done in the last parliament, and to aid the progress of the bill of exclusion through the two houses by the excitement which might arise from the disclosures of the new informer. Charles saw, and resolved to defeat, this object. To cut off all access to Fitzharris, he was transferred from Newgate to the Tower; and to prevent him from being brought to the bar of either house, the attorney-general received instructions to proceed against him for high treason in the court of King's Bench.[1]

March 10.

But the ingenuity of the Whigs proved a match for that of the cabinet. At Oxford, on the first mention of the bill of exclusion, the examination of Fitzharris taken by Clayton and Treby was read to the House of

March 25

[1] For these particulars see the Narratives of Sir Robert Walsh, 1679; the Depositions and the Narratives of Mr. Edmund Everard, 1679; the examination of Edward Fitzharris, in C. Journ. March 25, 1681; Hawkins, Confession of Edward Fitzharris, 1681; Hawkins, Discourse with Fitzharris in the Tower, 1681; The Englishman speaking plain English, in State Trials, viii. 357; and Parl. Hist. iv. App. 123; Burnet, ii. 271; James (Memoirs), i. 668, 669. The reader will observe that I have confined myself to a plain relation of facts, without noticing the opposite interpretations put upon them by the adverse parties.

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Commons; and it was contended that his intrigue with Everard was nothing less than a continuation of the "old popish plot for the destruction of Protestant-"ism;" that it had been the intention of those by whom the prisoner was employed, to send a copy of the treasonable libel to each of the popular leaders, and then to apprehend as traitors every individual in whose possession such copy might be found; and that the sole motive for the incarceration of the libeller in the Tower was to stop his mouth and suppress the knowledge of this execrable design. But would the Commons suffer themselves to be cheated in this manner? Let them impeach Fitzharris before the Lords: he would then have the opportunity of declaring the truth, and the whole mystery would be explained. The suggestion was immediately adopted; and the victorious party in the wantonness of triumph resolved that Secretary Jenkins, who had signed the warrant for his committal to the Tower, should carry up the impeachment to the House of Lords. With reluctance he obeyed, but was followed by the attorney-general, who produced both the order of the king for the prosecution, and the indictment, which in consequence of that order he had prepared.[1]

In the House of Lords the question was argued with vehemence and obstinacy. By the Whigs it was maintained that the Commons had in all ages exercised the right of impeachment against any subject; that an impeachment was at the suit of the people, an indictment at that of the king: wherefore, as the House of Lords was the only court in which the people could sue, to

[1] C. Journ. March 25. L. Journ. xiii. 755. Parl. Hist. iv. 1313—1317.

reject the impeachment would be a denial of justice; and that, inasmuch as the peers in cases of impeachment proceeded in virtue of their judicial, not their legislative authority, they had no more right to reject a legal complaint brought before them, than the judges in Westminster Hall, or in any other court. On the other side the lord chancellor produced from the rolls an accord made before Edward III. in full parliament, stating that the judgment given by the Lords against the murderers of Edward II. should never be drawn into a precedent, by which they might afterwards be compelled to judge any others than peers; and the house, founding its decision on this instrument, resolved that "Fitzharris should be proceeded with according to the course of common law, and not by "way of impeachment in parliament at that time."[1] This answer set the House of Commons in a flame: they declared by successive votes that it amounted to "a denial of justice, a violation of the constitution of "parliament, and an obstruction to the further dis-"covery of the popish plot; that if any inferior court "should proceed to the trial of Fitzharris, it would "be guilty of a high breach of the privileges of the "House of Commons;" and ordered that bills should be brought in for the better uniting of all his majesty's

[1] L. Journ. 755. In the House of Commons it was contended that this accord meant nothing more than that the Lords should not be called upon to condemn the accused in their absence, as they had done in that instance. Such most certainly could not be the real meaning of the original; yet so many centuries had elapsed since the Lords had availed themselves of the accord, that it might fairly be considered as no longer in force. The fact, however, was, that neither party cared for privilege or precedent. The impeachment arose not from the quality of the offender or of his offence, but from a wish to take the prosecution out of the hands of the court, and the real ground of the refusal to receive the impeachment was a desire to prevent the Commons from interfering with that prosecution.

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Protestant subjects, and the banishment of "the most "considerable papists of England by name."[1]

The popular party, founding their hopes on their notion of the king's pecuniary distress, and the assurances of some in the council, had promised themselves a long session and a certain victory. Charles, on the contrary, had determined in his own mind to make the duration of parliament depend on the adoption or rejection of "the expedient;" and it so chanced that the vote respecting the bill of exclusion and the dispute respecting Fitzharris followed each other on the same day, a circumstance of which he dexterously availed himself to conceal from the notice of his adversaries the measure which he had in contemplation. During the Saturday, the day of debate, he repeatedly visited and directed the workmen in the public theatre, to which it was intended that the Commons should transfer their sittings; on the Sunday he made the accommodation which he had provided for them the frequent

March 27.

subject of his discourse; and at an early hour on Monday morning hastened in a chair, followed by a second chair containing the royal robes, to the House of Lords. Not a whisper of his intention had been heard; not a suspicion had been raised in the minds of those by whom he was surrounded and watched; even the duchess of Portsmouth, in whose apartment by means of a private communication he spent much of his time, was kept in complete ignorance. The Commons, having ordered the second reading of the exclusion bill, were listening to a learned argument of Sir William Jones on the accord of the 4th of Edward III., when the usher of the black rod summoned them to the other house. They found the king seated on the throne: he

[1] C. Journ. March 26.

told them briefly that no good end could be expected when the very beginning was marked by dissension between the two houses; and immediately the chancellor by his command dissolved the parliament. The surprise, the disappointment, the rage of the leaders may be conceived. Shaftesbury called on his friends not to quit the house: let them stop and sign a protest against the dissolution: he sent to the Commons entreating them to wait, for the Lords were still sitting. But all his efforts were fruitless. The popular party in the lower house gradually withdrew, and the Whig lords, deprived of support from them, abandoned the attempt. Charles entered his carriage, was met on the road by a party of his guards, and proceeded to Windsor with a rapidity which had the appearance of flight, and gave birth to a notion that this hasty dissolution had been provoked by the discovery of some dangerous conspiracy against his person, originating with the opponents of the court.[1]

[1] See L. Journ. 757; Reresby, 120; North, 104; Macpherson, i. 116; Royal Declaration of April 8; Lord Grey's Confession, 12, 13, 14. By the dissolution the king spared himself the trouble of a dispute with both houses. In the last parliament a bill had been passed by the Lords and Commons repealing the 35th of Elizabeth, c. 1, the act for the repressing of "sectaries" or Protestant recusants. According to the chancellor, "it had never been put "in execution that he heard of but once, and was judged by most "lawyers to be expired till the Act of Uniformity." Several of the bishops, however, defended it as "the only means the church had "now left to rid herself of schism." The bill of repeal ought to have been presented to the king for his assent on the last day of the last parliament: but, before he entered the house, he sent for the clerk, and, having consulted a while with Lord Halifax, ordered him to leave that bill behind, and to present the others. To these he gave his assent, and immediately prorogued the parliament. At Oxford Lord Shaftesbury did not fail to denounce this proceeding as a new kind of veto; and on his motion the lost bill was twice read, and the clerks of the crown and of the parliament were examined before the house. The Commons took up the question with equal spirit, contended that the subtraction of the bill was a viola-

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Such was the abrupt termination of this, the last parliament in the reign of Charles II.: and it may be considered a fortunate circumstance for the country that it never brought to a termination the important question of the succession. James was not of a temper to acquiesce either in the expedient or the exclusion: he would have appealed to arms in defence of what he considered his right; and so profound was the reverence felt for the principles of the ancient constitution, so strong the prepossession in favour of the divine right of hereditary succession, that he would have found multitudes ready to draw the sword in his cause. Had he succeeded, he would have come a conqueror to the throne, armed with more formidable authority than he could have possessed in the ordinary way of inheritance; and if he had failed, there was reason to fear, from the political bias of the popular leaders, that the legitimate rights of the sovereign would have been reduced to the mere name and pageantry of a throne. It is probable that the dissolution preserved the nation from a civil war, and from its natural consequences, the establishment of a republican or of an arbitrary government.

In a few days the king published, at the suggestion of Halifax, a declaration of the causes which induced him to dissolve the two last parliaments.[1] After an

tion of the constitution, and proposed a joint committee of the two houses to discover the guilty, and to bring them to condign punishment. This was on the Saturday: on Monday the king dissolved the parliament.—See Journals, xiii. 717, 719, 748, 751, 756, and Locke's letter of 26th March, 1681, in Mr. Cooke's Life of Shaftesbury, ii. 270.

[1] Aware that he would be accused of favouring the Catholics by this dissolution, Charles on the same day declared in council his resolution that the laws against popery should be rigorously executed. The announcement filled Archbishop Sancroft, who was present, "with satisfaction and joy:" and by a circular to the other bishops

enumeration of the several offers which he had made, offers calculated to satisfy any reasonable man, yet received with expressions of discontent, and answered in a tone of crimination and reproof, he summed up the offences of the House of Commons, their illegal and arbitrary orders, by which they had taken Englishmen into custody for matters that bore no relation to parliamentary privilege; their declaration that several distinguished individuals were enemies to the king and kingdom, on bare suspicion, without hearing proof against them or admitting them to their defence; their unconstitutional vote that all persons who should lend the king money in anticipation of his revenue, should be responsible for such conduct in parliament; their usurpation of the power of suspending the law by resolving that the prosecution of the penal statutes against dissenters was an encouragement to popery; their obstinacy in rejecting all "expedients," and insisting on the exclusion of the duke from the succession; their design of making important changes in the government of the realm; and their endeavours to create a quarrel between the two houses, by pronouncing the Lords deniers of justice, because the latter would not consent to interrupt a prosecution which the king had ordered. This declaration was read in all the churches; the people learned from it to look upon the sovereign as an injured man, oppressed by a party whom no concessions would satisfy; and addresses expressive of attachment to his person,

he called upon them to consider "how acceptable it would be to "Almighty God to assist his majesty in his pious purpose of reduc- "ing the papists to the bosom of the church, or driving them out "of the kingdom;" and he therefore required his brethren to watch over the due execution of the three canons of king James, providing for the conversion or punishment of recusants.—Wilk. iv. 608.

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and of confidence in his government, were presented to him from all quarters of the kingdom.[1]

It was not to be expected that the popular leaders would sit down tamely under these imputations. To the declaration they opposed an eloquent and powerful reply, under the title of "A just and modest Vindication of the Proceedings of the Two last Parliaments," the joint production of Sydney, Somers, and Jones, men capable of imparting strength to a weak, and of insuring victory to a righteous, cause. They professed to refute each particular charge; and it must be confessed that assuming, as they did, the truth of the informations sworn by Oates and his fellow-labourers, their reasoning is always plausible, and frequently conclusive.[2] It failed, however, to persuade the nation. The plot had long, though slowly, been falling into discredit; in proportion as the first excitement died away, men began to wonder at their own credulity in believing such a mass of improbabilities and fiction; and the insulting language, the arbitrary arrests, the passionate and unprovoked resolutions of the House of Commons, joined to the known connection between the leaders and the Presbyterian party,[3] forcibly recalled to the public mind the proceedings

[1] Kennet, 398. The following extract from the speech made by the vice-chancellor of Cambridge to the king in the name of the university, may give some notion of the sentiments of the addressers. "No earthly power, we hope, nor menaces, nor money, shall ever "be able to make us forget our duty. We will still believe and "maintain that our kings derive not their titles from the people, "but from God; that to him only they are accountable: that it "belongs not to subjects either to create or censure, but to honour "and obey their sovereign, who comes to be so by a fundamental "hereditary right of succession, which no religion, no law, no fault, "no forfeiture can alter or diminish."—Wilk. Concil. iv. 607.

[2] Parl. Hist. iv. App. No. 15.

[3] See different bills in favour of the dissenters brought into parliament, C. Journ. Dec. 15, 16, 24, 1800; Jan. 3, 1801.

which led to the civil war in the reign of the first Charles. The tide of popularity had turned; it now ran in favour of the court; the fear of republicanism banished that of arbitrary power; and the demagogues who for so many years had bidden defiance to the authority, now began to quail before the resentment of the sovereign.

Charles was not slow to display his contempt for the votes of the late House of Commons, by ordering the attorney-general to proceed with the trial of Fitzharris. That adventurer still clung for protection to the popular leaders, and sought to interest their passions in his favour by a succession of disclosures, some of them charging with treason or other offences Sir Richard Bellings, some the earl of Danby,[1] and others the queen and the duke of York. By their advice at his arraignment he pleaded the impeachment in bar of the jurisdiction of the court of King's Bench; and immediately all the legal talent of the party started forth in his defence, not, it was pretended, for the purpose of shielding him from punishment, but to preserve the rights of the people by maintaining the privileges of parliament. As the Commons of England had impeached Fitzharris before the House of Lords, they contended that no inferior court could withdraw the cause from the cognizance of that, the highest tribunal in the land. The crown lawyers did not fairly meet, they endeavoured to elude the objection. The impeachment, they said, lay for treason in general; it specified no particular act; and the

April 27, May 4, 7, 11.

[1] A true bill was found on his testimony against the earl of Danby for the murder of Godfrey. But the charge was utterly incredible. Fitzharris had never mentioned it before, when he affirmed that he had stated everything that he knew.—James (Memoirs), i. 684. Burnet, ii. 278.

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court had no means of knowing that the offence laid in the indictment was the same as that intended by the impeachment.[1] After several hearings, Pemberton, the chief justice,[2] declared it his opinion, and the opinion of his brethren, that the plea was not sufficient to bar the court of its jurisdiction. The spectators were greatly disappointed. They had come prepared to hear a learned and elaborate judgment: but Pemberton, in the expectation of a severe scrutiny into his conduct in the next session of parliament, deemed it more prudent to abstain from any statement of the reasons on which this judgment was founded.[3]

June 9.

At the trial it was proved beyond contradiction that Fitzharris had furnished the substance of the libel; and his plea, that he had no other object than to procure information for the king, was repelled by the jury. The verdict of guilty opened his eyes to the weakness of the party on whose protection he relied: he endeavoured to retrace his steps; he pretended that the real author of the notes which he gave to Everard was Lord Howard, and brought forward his wife and servant to prove his connection with that nobleman. But these efforts were fruitless; Charles had resolved that the intriguer should suffer; and yet, when hope was extinct, on the very morning of his execution, he gave a written confession to the divine who attended him, and at the gallows referred to it as a record of the truth. It stated that he procured the

July 1.

[1] It appears to me that the true question was, whether an impeachment by the Commons, *after it had been refused by the Lords*, was a bar to the jurisdiction of the court? But this was not noticed in the pleadings on either side.

[2] Pemberton owed his elevation to the fact that Scroggs himself lay under an impeachment, and was therefore an improper person to try the question. He retired on a pension.—James, i. 623.

[3] State Trials, viii. 243, 330. North, 287, 288.

libel for the king's service, that the charge against the Lord Howard was correct, and that his depositions before the trial were fables, suggested to him by the sheriffs, and by Clayton and Treby. Little credit is due to one who had always accommodated his testimony to his hopes and his interest; yet it was the confession of a dying man; he had renounced the mercy of God if it were not true, and the impression which it made on the public induced the four citizens whom he had accused to come forward in their own vindication, and to assert that, as far as they were concerned, the statement of Fitzharris was made up of misrepresentation and falsehood.[1]

With this informer suffered a much better man, Oliver Plunket, the Catholic archbishop of Armagh, a prelate whose loyalty had been attested by four successive chief governors of Ireland. He had been thrown into prison on the usual charge of having received orders in the church of Rome; when the promise of reward to informers induced some of the king's witnesses, as they were called, to select him for a principal conspirator in the pretended Irish plot.[2]

[1] State Trials, viii. 330—339. In support of the confession was published "A Narrative, being a true Relation of what Discourse "passed between Dr. Hawkins and Edward Fitzharris, Esq., late "prisoner in the Tower." In opposition, a tract called "Truth "Vindicated, or a Detection of the Aspersions and Scandals ... in "a paper published in the name of Dr. Hawkins. 1681."

[2] The same was the case with another Irish prelate, Peter Talbot, the Catholic archbishop of Dublin. He had formerly rendered important services to the royal brothers during the time of their exile; and in 1673, when Talbot repaired to France, in consequence of a proclamation for the banishment of Catholic priests, both had united in recommending him to the favour of Louis. After his return he was apprehended in an infirm state of health at the house of his brother in the county of Kildare, and committed by the council to Newgate in Dublin (Sept. 8, 1678). It was just after Oates had made his pretended discovery; and Talbot was repeatedly examined with respect to the Irish portion of the plot. Though nothing ap-

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But they dared not face the man whom they had accused in their own country: at the trial it appeared that they were gone to England, and Plunket, instead of obtaining his discharge, was compelled to follow

May 3. them. At his arraignment the chief justice granted him a respite of five weeks to procure evidence from Ireland; but his messenger was driven back by contrary winds; his witnesses were delayed by the difficulty of obtaining passports; the officers in Dublin refused copies of any document without an order from the council in London; and in consequence of these delays his means of defence did not reach the English coast till the third day after his condemnation. The

June 8. informers deposed against him that he had been raised to the dignity of primate for the purpose of preparing a way for the invasion from France; that he had made a survey of the coast, and fixed on the harbour of Carlingford for the debarkation of the French army; that he had collected large sums of money, had ordered musters of all Catholics able to bear arms, and had organized a force of seventy thousand men to join the invaders, massacre the Protestants, and establish the Catholic worship. Plunket replied, that this was a most extraordinary case; for, had he confessed himself guilty of these offences in his own country, yet an Irish jury must have acquitted him, from their personal knowledge that the charge could not by any possibility be true. But he had been brought away from a place, where his own character, the conduct of his accusers, and the state of the country, were known, to be tried before men whose

peared to criminate him, Charles dared not to show him any favour or sympathy, but allowed him to linger two years in prison, when death released the old man from his sufferings in 1681.—See Hibern. Domin. 131, 710, and Oliver, Collect. 248.

ignorance of all these things rendered them incapable of forming a correct judgment of his guilt or innocence. Had his evidence arrived, he should have shown, that the witnesses against him were men undeserving of credit, apostate friars whom he had punished for their immorality, and convicted felons who had forfeited their reputation. But of such aid it was not in his power to avail himself, because it was still on the road. The only thing which he could now oppose to the oaths of the accusers was the solemn asseveration of his innocence, and the utter improbability that he had been able to collect sufficient money for the support of an army, when it was well known that he could never raise an income of seventy pounds a year for his own subsistence. The jury, however, found him guilty, and when the earl of Essex, who had been lord lieutenant of Ireland, solicited his pardon, declaring from his own knowledge that the charge against him could not be true, the king indignantly replied, "Then, my lord, be his "blood on your own conscience. You might have "saved him if you would. I cannot pardon him, be-"cause I dare not." Plunket suffered, and was the last of the victims sacrificed to the imposture of the popish plot; for the day of retribution was now rapidly approaching, and the storm which had so long raged against the Catholics was about to burst on the heads of their oppressors.[1]

Of the popular leaders introduced into the council some years before, not one at present remained. The earl of Salisbury had voluntarily withdrawn; Essex and Sunderland, and even Temple himself, had been

[1] State Trials, viii. 447—500. Challoner, ii. 461—472. Burnet, ii. 279.

CHAP. I. A.D. 1681. dismissed; and the statesmen who possessed the royal confidence were the lord chancellor, and the lord president, the earl of Halifax, Jenkins and Conway the secretaries, Seymour, the late speaker, and Hyde, lately created a viscount.[1] All these agreed, or appeared to agree, in opinion with the king, that many among their opponents meditated a change of dynasty, if not of government, and that, despairing of success by legal means, they had determined on the employment of force during the late parliament at Oxford. Under this impression the council sought out proofs of their presumed guilt; and many of the same arts which Shaftesbury had practised to prop up the forgeries of Oates were employed to procure evidence of treason against Shaftesbury and his associates. The witnesses, who hitherto had shaped their testimony at his nod, observed with dismay the recent change of public opinion; they began to fear the punishment of their perjuries from the justice of their sovereign; and, as the price of their safety, they readily devoted their future services to the stronger party. To have refused the offer would have been upright and magnanimous; but it was manifest that these men, from

April 23.

[1] James (Memoirs), i. 677. I ought perhaps to notice the arrival of the prince of Orange in England during this summer. His ostensible object was to prevail on the king to unite with Spain and the States in opposition to the encroachments of France; to which Charles objected the disputes between himself and the parliament. The prince held several conferences with the ministers and with the popular leaders, under the pretence of effecting a reconciliation, and then departed, as the king believed, with different sentiments from those which he formerly cherished. What passed between him and the opponents of the court we know not, but when Charles invited him the next year to meet the duke of York, he excused himself on some pretext or other, but, as was believed, because he did not think it for his interest in England to be on good terms with his father-in-law.—James (Memoirs), i. 690, 692. Dalrymple, 1—13. D'Avaux, i. 80, 83, 118.

their past connection with Shaftesbury and his friends, must have become acquainted with their practices, perhaps with their objects: the hope of discovery and the desire of vengeance prevailed; and to the objection that the depositions of such witnesses would deserve but little credit, it was replied, that the value of their testimony became a question for the consideration of the jury.

The first to experience the effects of this reaction were the Lord Howard; College, surnamed from his zeal the Protestant joiner; Rouse, the marshaller and leader of the mob from Wapping; and the great agitator, the earl of Shaftesbury; all of whom placed their principal reliance for safety on the protection of the grand juries, returned by sheriffs attached to their party.

June 12. 1. Lord Howard had been committed to the Tower on the denunciation of Fitzharris; but there was an important discrepancy between the evidence of the wife and of the servant of the informer, and the grand jury refused to find the bill of indictment. The attorney-general, however, had the address to withdraw it before it had been indorsed; and by this artifice prevented the prisoner, though he claimed his discharge, though he took the sacrament on his innocence, from being admitted to bail till he had suffered an additional imprisonment of five months.[1]

July 8. 2. The accuser of College and Rouse was Bryan Haynes, who first offered his services to Shaftesbury, but had subsequently the sagacity to discover his error, and to range himself under the banner of the court. Aware of the political principles professed by the persons who composed the grand jury, the attorney-

[1] No Protestant Plot, iii. 111. Ralph, 600, note, 606.

CHAP. I. A.D. 1681.

general demanded, and the chief justice ordered, that the proceedings on the bill of indictment against College should be taken in open court. But the experiment failed. Though the witnesses had been held worthy of credit in the prosecutions on the popish plot, the jury refused to believe them against the Protestant joiner. The crown lawyers, however, discovered that some of the offences with which the prisoner was charged had been committed in Oxfordshire; a new bill against him was found by the grand jury of that county; and College was tried in Oxford on the charge of having gone in arms to that city, for the purpose of seizing, in conjunction with certain of his associates, the person of the king.[1] This trial exhibited a new and extraordinary spectacle: the men who had hitherto been accustomed to lend to each other the aid of their oaths, in confirmation of their numerous forgeries concerning the popish plot, appeared in court divided into two bodies, and marshalled in hostile array against each other, under the guidance of their respective leaders, Dugdale and Oates. Dugdale, Turberville, and Smith swore positively to the

July 16.

August 17.

[1] In the case of Atkins, Shaftesbury had ordered the prisoner to be furnished with pen, ink, and paper, and then took his writings from him, that the prosecutors might become acquainted with his defence; in consequence of which they sent for and examined his witnesses.—State Trials, vi. 1494. As a set-off against this act of oppression, has sometimes been mentioned the taking away College's papers after his arrival at Oxford. But there is a considerable difference between the two. Aaron Smith, the Whig attorney, offered the gaoler a bribe of four guineas for admission to the prisoner. Being refused, he obtained an order from the chief justice, and was observed to place a parcel of papers in the hands of College. These were seized, and after the prisoner had pleaded, were examined by the court. They proved to be instructions for his defence, with objections in law, and a speech containing reflections on the government. The judges ordered a copy to be made, omitting such passages as they deemed seditious, and delivered it to the prisoner.—State Trials, viii. 570, 582, 587.

guilt of College; Oates, Bolron, and others contradicted their testimony, and vilified their characters.[1] It is evident that no credit was due to either party; but the charge against the prisoner derived a feeble support from the known activity of College, the intemperance of his language, and his habit of singing songs, and distributing prints, reflecting on the character of the monarch. That he had been engaged in many unjustifiable practices cannot be doubted; but the impartial reader of his trial will dispute the propriety of the verdict returned by the jury, and assent to his solemn asseveration under the gallows, that he died innocent of any treasonable act or intention.[2] August 31.

3. His associate Rouse was more fortunate. The grand jury ignored the bill, and there existed no charge against him in any other county. He recovered his liberty; but, incapable of profiting by experience, he suffered in 1683 for a new offence the same ignominious manner of death from which he had escaped in 1681.[3] Oct. 19.

4. The information against the earl of Shaftesbury was furnished by his three Irish witnesses, who accused him of having suborned them to give false testimony against the queen, the duke of York, the lord lieutenant, and the lord chancellor of Ireland. His scornful and threatening carriage before the council intimidated some of the members; but his boldness forsook him when the warrant for his commitment was signed, and the very rabble hooted him on his way to the Tower. There he yielded to the July 2.

[1] To punish Oates for his conduct at this trial, his pension was taken from him, and he was turned out of his lodging at Whitehall. —Bulstrode, 329. Loyal Protestant, No. 52.

[2] State Trials, viii. 549, 746. Bulstrode, 325. North, 587, 589.

[3] North, 586. James (Memoirs), i. 713.

CHAP. I. A.D. 1681. suggestions of prudence or despair; but his offer to expatriate himself, by repairing to his plantation in Carolina, was refused; and the king avowed his determination of bringing him to a trial before his peers. Every exertion was made to defeat the royal purpose by procuring the rejection of the indictment by the grand jury. The new sheriffs Shute and Pilkington summoned for that purpose men known to be violent enemies of the court: pamphlets and narratives and instructions for jurymen of the most inflammatory tendency were published; and the hall was filled with the retainers of the party from Wapping and the suburbs. The proceedings, as in the case of College and Rouse, were held in public in presence of the judges; yet, so violent was the conduct of the spectators, that the witnesses repeatedly complained of danger to their lives, and the judges themselves did not feel in safety on the bench. The indictment charged the earl with having made warlike preparations for the purpose of compelling the king to yield to the wishes of the parliament at Oxford; and was supported by the testimony of Booth, who pretended that he had been actually engaged for that service, of Haynes, whom Shaftesbury himself had recommended to the king as a person of honour and conscience, and by several of the witnesses whom he had brought from Ireland to support the pretended Irish plot. That the jury had previously determined to disbelieve their evidence is highly probable; but there was so much in their conduct and characters to awaken suspicion, that any twelve impartial men would have come to the same conclusion. The bill was returned "ignoramus:" the hall shook with applause; and the day was closed with the ringing of bells, the kindling of bonfires,

Nov. 24.

and shouts of "A Monmouth, a Shaftesbury, and a "Buckingham."[1]

This triumph, however, was of short duration. While the party congratulated themselves on the escape of their leader, the publication of two papers found in his possession, and produced in court, awakened the spirit of the Tories, and gave a decided superiority to their cause. Of these, one was the form of an association for the purpose of maintaining the Protestant religion, and of excluding James, duke of York, and every other papist, from the succession; and for that end the subscribers were made to vow before God that they would pursue unto destruction all who should oppose their just and righteous intention; and, for the better success of this pious work, would follow such orders as they should receive from parliament, while it sat, or from the major part of the members of parliament, being associators, after its prorogation or dissolution, and would obey such officers as by the same persons should be set over them in their respective counties, cities, and boroughs. The other paper purported to be an alphabetical list of the most considerable individuals in every shire, divided under two heads into "worthy men" and "men "worthy," designations interpreted to mean, "worthy "of trust and worthy to be hanged."[2] The knowledge of these papers, the treasonable tendency of the first, and the invidious distinction made in the second, threw the nation into a ferment. The form of association was not, indeed, in the writing of Shaftesbury;

[1] James (Memoirs), i. 687, 714. Macpherson, 122, 124. State Trials, viii. 759—842. North, 110—115. Burnet, ii. 289. Reresby, 124, 127. Coke, 309—313.

[2] State Trials, viii. 782—787. North, 112. L'Estrange, Brief Hist. 100. Echard, 1014.

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but no one doubted that it was either drawn by him, or under his direction, and that it perfectly accorded with the real views of the party. Of the "worthy "men," numbers hastened to prove that they had no claim to the honourable designation; and the "men "worthy" felt the stigma put on their characters, and eagerly sought for revenge. In a short time addresses poured from every quarter into Whitehall, expressive of the most fervent attachment to the sovereign, and the deepest abhorrence of the association and its abettors. Its object was pronounced treason not only against the person of the king, but the constitution of the kingdom, and more ruinous to the nation than "the old hypocritical solemn league and covenant;" the men who refused to find the bill against its author or contriver were declared to have perverted the laws and "to have aimed at a tyrannous dominion over both "the sovereign and his people;" and Charles was assured that his faithful subjects held all such illegal unions in detestation, and would defend to their utmost ability both him and his lawful successors from all traitors and conspirators whomsoever.[1]

The king hastened to improve this enthusiasm of the people to the prejudice of his opponents. 1. The most obnoxious of the "worthy men" were successsively and silently weeded out of the commission of the peace, and their vacant places supplied from the list of "men worthy," or from those clergymen who had distinguished themselves by their advocacy of the doctrine of passive obedience. 2. As the majority of the dissenters had hitherto lent their aid to the popu-

[1] See the addresses in the London Gazette, and particularly those from the magistrates at Hicks's Hall, and the benchers of Gray's Inn and the Inner Temple.

lar leaders, they were now made to pay the penalty of their disaffection to the court. At the request of the magistrates of Middlesex, the king ordered the laws "against conventicles and unlawful meetings, under "pretence of religious worship," to be put in immediate execution: the loyal and the zealous, the interested and the vindictive, availed themselves of the opportunity; and the fines, distraints, and imprisonments of former periods were immediately revived.[1]

3. Lastly, an attack was meditated on the privileges of the city, the stronghold of the exclusionists. At the election of the chief magistrate, the court had prevailed in favour of Sir John Moore, a quiet and inoffensive citizen, who, though he had been an addresser, met with little opposition from the party, on account of his timid and retiring disposition. But the election of sheriffs, considering all circumstances, was a matter of greater importance. On them depended the choice of individuals to serve on juries; and a general persuasion prevailed that, as long as the sheriffs were devoted to the opposition, no verdict against the leaders or their associates would be obtained by the crown. On this account it was proposed to the king in council to lay an information in the nature of a *quo warranto*, in the King's Bench, to inquire by what authority the city claimed the rights and privileges which it exercised. In that case, either the fear of forfeiture would induce the corporation to solicit the royal favour, or the judgment of the court would deprive them of the powers which they employed to the prejudice of the royal authority. The king gave his assent, and in Hilary term the information was filed: but, what with the plea and answer, the rejoinder and

[1] Neal, ii. 727.

CHAP. I. A.D. 1681.

the surrejoinder, the rebutter and demurrer, and the dilatory forms of proceeding, more than eighteen months elapsed before the question was argued and judgment given.[1] In the meantime the reader may turn his eyes towards Scotland, and take a rapid view of the most interesting events which had occurred in that kingdom.

The defeat at Bothwell-bridge had tamed the spirit of the Covenanters. By frequenting the churches of the indulged ministers they succeeded in screening themselves from the notice and severity of the government; and in a few weeks it appeared as if the party, which recently excited such general alarm, had entirely ceased to exist. There was, however, left a remnant of faithful Israelites, inconsiderable in number, and despicable in point of influence, but men of wild fanaticism and indomitable zeal, who followed their spiritual guides, Cargill and Cameron, into the desert, and were fed by them among the glens and morasses with the manna of the divine word. The contemplation of their forlorn condition naturally led the enthusiasts to inquire into the authority of those by whom

1680. June 3.

their sufferings were inflicted; they discovered that it was not in the power of their ancestors, who had made the succession hereditary in a particular family, to bind posterity, or to purchase their own liberty with the slavery of their descendants; and they argued that, since Charles Stuart, by rejecting the covenant, had broken the condition on which he received the crown of Scotland, he had therefore forfeited all right

[1] James (Memoirs), i. 714. North, 629. State Trials, viii. 1039—1086. See in Jenkins, ii. 684, a sensible letter from that statesman to the duke of York, stating his reasons for dissenting from the rest of the council on the question of the policy and justice of this prosecution.

to the exercise of the regal authority.[1] Convinced of the truth of this doctrine, Cameron, accompanied by twenty of his disciples, proceeded to the small burgh of Sanquhar, and having publicly read, affixed to the cross "a declaration and testimonie of the true presbi-"terian, anti-prelatic, anti-erastian, and persecuted "party in Scotland." In this singular instrument they "disowned Charles Stuart, who several years "before for his tyrannie should have been denuded of "being king, ruler, or magistrate; and under the "banner of the Lord Jesus Christ, the Captain of their "salvation, they declared war with such a tyrant and "usurper—they also disowned and resented the recep-"tion of the duke of York, a professed papist, in Scot-"land, as repugnant to their principles and vows to "the most high God;—and in conclusion they hoped "that no one would blame them if, as the Lord gave "opportunity, they should reward their opponents in "the same manner as had been done to them."[2] CHAP. I. A.D. 168. June 22

The host of Israel, the men prepared to support this bold defiance, amounted to six-and-twenty horse, and about forty foot; but they prayed, when others would have watched, and were surprised by three troops of dragoons at Airmoss, in the county of Kyle. At the approach of the enemy, Cameron exclaimed, "Lord, take the ripest, spare the greenest;" and, calling to his men to follow, hastened to meet the assailants. He fell; his brother and seven of his companions shared his fate; and Rathillet, whom the reader will remember at the assassination of Archbishop Sharp, June 22.

[1] Wodrow, ii. App. 45, 46. State Trials, x. 795.

[2] Wodrow, App. 47. State Trials, x. 805. I should have observed that *Erastus* was a physician in Switzerland, who taught that the church had no regular authority to censure or excommunicate, but was subordinate to, and dependent on, the civil power.

CHAP. I. A.D. 1680. — September

was wounded with a few others, and made prisoner.[1] The martyr had the honour of giving the name of Cameronians to the party; Cargill escaped, and prepared to avenge his death. At Torwood, in Stirlingshire, he assembled his disciples, and having first lectured and then preached, proceeded to pronounce judgment in the following solemn manner: "I, being "a minister of Jesus Christ, and having authority "from him, do, in his name and by his spirit, excom- "municate, cast out of the true church, and deliver "up to Satan, Charles II., king of Scotland, for his "mocking of God, his perjury, his uncleanness of "adultery, and incest, his drunkenness, and his dis- "sembling with God and man." By the same authority, and in similar terms, he excommunicated James, duke of York, for idolatry, James, duke of Monmouth, for his invasion of the Lord's people at Bothwell-bridge, John, duke of Lauderdale, for blasphemy, apostasy, and adultery, and the duke of Rothes, Sir George Mackenzie the king's advocate, and Dalziel of Binns, for different offences. Ridiculous as such a sentence must have appeared to those who were its object, it made a deep and fearful impression

[1] Wodrow, 140, 143. Rathillet was tried for "treason and the "sacrilegious murder of Archbishop Sharpe." He declined the authority of the king and of the court, "because they had usurped "a supremacy over the church, belonging alone to Jesus Christ, and "had established idolatry, perjury, and other iniquity in the land, "and for that purpose had shed much innocent blood. Therefore "he, as adhering to Christ, his rights, and kingly office, declined "them that are his (Christ's) open enemies and competitors for his "crown and power, as competent judges." He was condemned and suffered July 30. 1680.—See the original documents in State Trials, x. 791—850. Two years later, 1683, Guillon, another of the murderers of Sharp, suffered in Edinburgh. His hands were first cut off at the foot of the gallows. He was then hanged; his head was cut off and fixed on a spike at Cupar, and his body was hung in chains on Magus muir.—Kirkton, 423, note.

on the hearers of Cargill, to whom he asserted that "no power on earth of kings, princes, magistrates, or "ministers of the gospel, could, without the repent- "ance of the persons, openly and legally appearing, "reverse this excommunication."[1]

These proceedings sharpened the vigilance and severity of the council, who began to consider that their own lives, as well as the reputation of the government, were at stake. The Cameronians, indeed, had hitherto confined their efforts to measures of self-defence; but there was reason to fear that, if their numbers should multiply through neglect, they might proceed to acts of aggression; and the murder of the archbishop had shown how easily such enthusiasts could mistake the suggestions of revenge for the inspirations of Heaven. The prisoners brought from Airmoss paid the forfeit of their rebellion; a strict search was made not only after their associates in the field, but also the professors of their doctrines; and six of the latter testified with the loss of their lives the sincerity of their belief. Among them were two females, Isabel Alison, and Marion Harvey, whose zeal might indeed require coercion, but whose obstinacy could not deserve the punishment of death.[2] In prison the Bible was their chief consolation; the

[1] Wodrow, 144. Crookshank, 71. Cargill was taken on July 13th, and executed on July 26th, 1681. He excommunicated the king, disowned his authority, and maintained, from the examples of Jael and Phineas, that a private person having a call from God might lawfully put another to death.—See Wodrow, ii. 185, 186; App. 54, 55.

[2] It should, however, be observed, that they showed by their answers that they approved of the archbishop's murder, and were well acquainted with the murderers. Harvey, in her printed testimony, leaves her blood upon the traitor on the throne, on the duke of York, who was present at her first examination, and on all persons concerned in her capture, imprisonment, trial, and condemnation.—See Kirkton, App. 426, note.

CHAP. lecture of the book of Canticles threw them into
A.D. 1681. ecstasies of joy; and, as they ascended the fatal
— ladder, they cheered their last moments by applying
Jan. 26. to themselves the passage, "My fair one, my lovely "one, come away." The duke of York, who had recently arrived in Scotland, doubted the policy or the justice of these executions. To some of the sufferers he sent an offer of pardon, if they would only say "God bless the king:" but, though the rope was already round their necks, they rejected a condition which they deemed an apostasy from their principles.[1] There remained others equally ready to grasp the crown of martyrdom; but the duke deprived them of the splendid prize, by transferring them to a life of hard labour in the house of correction, or enrolling them in a regiment of Scots in the service of the king of Spain.[2]

[1] They were Skene, Potter, and Stewart. Skene had already been turned off, when Potter seemed inclined to pronounce the words, but his wife, seizing him by the arm, and nearly pulling him off the ladder, exclaimed—"Go, die for the good old cause, my "dear. See Mr. Skene. He will sup to night with Jesus Christ." Again in 1684, Dec. 9—"Ten were panelled for disowning his "majesty's authority. Six were so wise as to resile: the other four "were so mad as to deny to say 'God save the king.' Three would "have done it, but by the zealous society of the fourth were "obdured." All four suffered death.—Fountainhall, Decisions, i. 318.

[2] Burnet, ii. 203—205. Fountainhall, in State Trials, x. 877. These proceedings have induced the writers of the party to term the duke a bloody tyrant, but, as it appears to me, with great injustice. The facts show that he made it his endeavour to withdraw the accused from the severity of the Scottish council by supplying them with verbal evasions, or substituting a milder in place of capital punishment. It has even been said that he was fond of feasting his eyes with the sight of human suffering. But the only proof of this charge is, that when Spreul was subjected to the torture of the boot, Lumes was present with the commissioners. But how is it shown that he was present to gratify so inhuman a passion? The prisoner was to be examined respecting a plot to blow up that part of the abbey in which the duke resided with his family. Might he

CHAP. I. A.D. 168

The first care of James was to study the political state of Scotland; and a short inquiry convinced him that the spirit of resistance to the court, which had driven him from England, had made but few proselytes among the Scots. The people generally looked up to the nobility as their natural guides; and the nobility, with only two exceptions, professed themselves the devoted servants of the crown. Persecution, indeed, had provoked a different feeling in the breasts of the more rigid Covenanters; but these existed only in a few districts of the west and south, and formed a party too contemptible in point of number, and too dispirited by a long course of suffering, to create the slightest apprehension. The principal evils arose from the family feuds among the nobility, which divided them into hostile parties, and made each individual anxious to exalt himself by the depression of his enemy; from the hereditary jurisdictions, which were exercised by the possessors in the most haughty and tyrannical manner; and from the misrule of Lauderdale, whose chief object had been to enrich his duchess and his dependants at the expense of law and justice. Seven commissioners of the treasury with high salaries were employed to administer a scanty income of sixty thousand pounds; the farmers of the customs and the excise were encouraged by the connivance of the government to extort money by illegal artifices; and the troops, supposed to have been raised for the purpose of checking the depredations of the Highlanders, existed only in the muster-rolls of the officers who received the pay of

not, then, have felt an interest in being present to watch the proceedings, and to form his own judgment of the truth or falsehood of the charge?

CHAP. I. A.D. 1681.

these imaginary guardians.[1] It was obviously to the interest of James to ingratiate himself with the nation. With this view he employed the influence of his high rank to heal the dissensions which divided so many noble families, sought to relieve the people from oppression by the gradual and noiseless removal of Lauderdale's dependants, and suggested to his brother such other remedies as could only be applied by the will of the sovereign. In a few months James had become popular in Scotland.[2]

While, however, he appeared to devote his attention to the concerns of that country, he kept his eye constantly fixed on the transactions in England. The meeting of the parliament in Oxford had plunged him into despair; its sudden dissolution taught him to rely on the firmness of the king. Yet his hopes were not speedily realized. By the advice of Halifax his first petition to be recalled to England was peremptorily refused; to the second, that he might hold a parliament in Scotland, Charles gladly signified his consent. The object of the monarch was to soothe the feelings of his brother, wounded by the previous refusal, the object of James to procure from the Scottish parliament a recognition of his right to the Scottish throne.

July 28.

The duke, in quality of royal commissioner, opened the session with a speech, expressive of the king's readiness to unite with his people in providing security

[1] The duke proposed that this money should for the future be divided between Huntley, Argyle, Athol, and Seaford, the four great Highland chiefs, and that they should be made responsible for all depredations committed by the clans dependent on them. They already had the power, they would then have the will, to prevent the incursions of the Highlanders.—James (Memoirs), i. 706.

[2] See James (Memoirs), ii. 580, 644, 704—707; Burnet, ii. 292.

for the Protestant religion, and of his confidence that he should find them equally ready to concur with him in securing the rightful descent of the crown. His wishes were gratified. The first act passed by the estates confirmed all the existing laws in support of the Protestant religion, and all acts made against popery; the second declared that the kings of Scotland derived their royal power from God alone, that August 31. they succeeded thereto lineally and according to the known degrees of proximity in blood; that no difference of religion, no act of parliament, made or to be made, could alter or divert such succession, and that to alter, invert, or suspend the next heir from the administration of the government according to the laws of the kingdom, amounted to an act of treason.[1] Much altercation followed respecting the grievances which had been suffered under the administration of the duke of Lauderdale,[2] and the tyranny which was exercised by the lords possessed of hereditary jurisdiction. But the most important act of the session was the imposition of a new test, which had been equally called for by the government to check the diffusion of the anti-monarchical doctrines preached by the Cameronians, and by the more zealous among the Protestants, as a counterpoise to the influence of a Catholic successor.

[1] Wodrow, ii. App. p. 59. Scottish Statutes, 1681, c. i. ii.

[2] Proof was offered of the perjury of Lord Hatton, Lauderdale's brother, on Mitchell's trial, and of a conspiracy in which he had engaged to convict Lord Bargeny of rebellion. James prevailed to have the cognizance of these matters referred to the king, for which his enemies have severely reproached him. It appears, however, from a note in the new edition of Burnet (ii. 299), that the duke had already sent the proofs of the first of the cases to the king, who in consequence had deprived his old confidant Lauderdale of all his employments; and that Lauderdale was far from thinking James a friend to himself or his brother, appears from his opposition in England to the proceedings of the duke in Scotland.

CHAP. I. A.D. 1661.

But here a difficulty arose, how to define the Protestant religion so as to give general satisfaction in a country where episcopacy was, indeed, established by law, but presbyterianism retained its hold on the hearts of the people. For many years the Westminster Confession of Faith had formed the authorized creed of the Scottish kirk; but by the rescissory act of 1661 this document had been stripped of its authority, and the only form of doctrine which still possessed the sanction of the legislature was the more ancient confession framed in 1560, and approved in the first parliament of James VI. in 1567. On the present occasion the lords of the articles, among whom was the earl of Argyle, proposed the ratification of this confession, and Dalrymple, the president of the Court of Session, moved that it should be recognized in the new test as the standard of the Protestant religion. Paterson, bishop of Edinburgh, saw the difficulty, but after some opposition acquiesced; and an act was passed ordaining that all laws against papists and fanatical separatists from the national church should be rigorously enforced, and that all persons in public trust, with the exception of the lawful brother and sons of the king, should take the test appended to the act, under the penalty of forfeiture and incapacity to hold office. That test consisted of—1. A profession of adhesion, and a promise to adhere to the true Protestant religion contained in the confession of faith recorded in the first parliament of James VI. 2. The usual recognition of the king's supremacy over all persons civil and ecclesiastical, and a renunciation of all foreign jurisdiction. 3. A rejection of the doctrines and practices already condemned by the declaration prescribed in the eleventh act of the

first parliament of the king; and lastly, an acknowledgment that there "lay no obligation from the "national covenant, or the solemn league and cove- "nant, or any other manner of way whatsoever, to "endeavour any alteration in the government in "church or state, as it was then established by the "laws of the kingdom."[1] There must have been some external pressure upon the duke, perhaps from the positive command of the king, perhaps from the obstinate bigotry of the council, to enforce his concurrence in the enactment of a test so repugnant to his religious feelings, and so hostile to his future rights; for it bore as severely on the Roman Catholics as on the Scottish fanatics, and disqualified James himself, in the event of his succeeding to the throne, from bestowing office on men of his own creed. To the episcopal clergy the obligation of swearing adherence to a Presbyterian confession of faith appeared at first an intolerable grievance. But their repugnance gradually wore away, when it was discovered that in point of church government this instrument contained no provision inconsistent with the established discipline, and when the council, to do away objections on the ground of a few speculative doctrines of minor importance, had published a declaration, that the test was not meant to apply to every part of the confession, but only to the "true Protestant religion founded on the "word of God, and contained therein, as opposed to "popery and fanaticism," and that it neither made nor intended to make any invasion of the intrinsic spiritual power of the church, nor offered any prejudice to the form of episcopal government. A feeble attempt was,

[1] See it in State Trials, viii. 870; and Scottish Statutes, 1681, c. vi.

CHAP. I. A.D. 1681.

indeed, set up to keep alive the opposition, by maintaining that in making such declaration the council had exceeded its legitimate authority; because no court inferior to the parliament could possess the right of explaining the intention of parliament. But the majority of the beneficed clergy were too prudent to sacrifice their emoluments to unfounded scruples; and the dissidents, who resigned their livings, did not amount to more than eighty, influenced not so much by their objection to the confession of faith, as to the recognition of the king's supremacy, which, armed as it was with the most arbitrary power by Lauderdale's act of 1669, they considered dangerous in the possession of a Catholic successor.

Among the laity the recusants were confined chiefly to the small number of individuals connected with the Whig party in England, who looked on several clauses in the test as repugnant to the political principles which they cherished, and to the designs which they meditated. The dukes of Hamilton and Monmouth accordingly resigned their offices; but the man whose determination was expected with the greatest impatience, was the earl of Argyle. He had many powerful enemies among the Scottish nobility; during the session the earl of Errol had presented a bill praying that Argyle might be compelled to settle the pecuniary claims of several parties against the family estates, and the king's advocate had disputed his right to the hereditary sheriffdoms which he held, and to his office of justice-general of Argyleshire and the isles; and though James, by the interposition of the royal authority, had shielded him from these suits, yet the dismissal of the earl from the Court of Session showed that his conduct had given offence. By his adver-

saries it was hoped that he would refuse the test: for some time he hesitated; but the desire of preserving so many valuable hereditary jurisdictions prevailed; and he offered to take it with the following explanation, that he meant to bind himself by it, "only in as "much as it was consistent with itself and the Pro- "testant religion; and not to debar himself from "endeavouring, in a lawful way and in his station, to "make such changes in church and state as he might "judge beneficial." It is difficult to understand the necessity of these limitations. His only object in the first part was, as he stated, "to clear himself from "cavils," for he had no notion that "the test im- "ported anything contrary to the Protestant religion," and the second could hardly be requisite; for the general denial of any obligation "to endeavour altera- "tions in the government" could never be understood as a renunciation of the right belonging to him as a peer of parliament. The duke of York remarked to him, that such was the real meaning of the test, and that he deluded himself, if he thought that he had imparted to it any new signification.

CHAP. X. A.D. 1681.

Nov. 3.

When Argyle took the test with this explanation, many of the spectators betrayed their disappointment by their looks; but James was satisfied, and, though the council maintained that he ought not to have suffered it, he resolved "to pursue the matter no fur- "ther." But new representations were made to him; the earl was summoned to qualify a second time as a commissioner of the treasury; then his explanation was refused; and though he waited on the duke and satisfied him of the rectitude of his intention, he received an order to place himself in confinement in the castle of Edinburgh. Soon afterwards the king's

Nov. 4.

Nov. 5.

Nov. 9.

CHAP. I. A.D. 1681 — Nov. 20. advocate, in consequence of instructions from England, accused him of treason, leasing-making, and perjury, charges raised on a slight foundation, indeed, on nothing more than the explanatory clause which he had added to the test in presence of the council.[1]

The reader will perhaps imagine that the object of the court was merely to intimidate Argyle and the few who might feel disposed to follow his example. But in the course of three weeks he was brought to Dec. 12. trial. The crown lawyers contended that in his explanation he had claimed for each individual the authority of determining in what sense parliamentary tests were to be understood; that he had defamed the legislature by insinuating that it imposed contradictory oaths, and violated the Protestant religion; that he had recommended to the people the doctrine of the rebels and Covenanters, that every man possesses a right to make, according to the dictates of his private judgment, alterations in church or state, "without any regard whether the king should disas-"sent or not;" and that he had usurped the sovereign authority by declaring that he understood this his explanation to form a part of his oath. To such frivolous and captious reasoning it was replied, that the earl, being called upon to qualify himself for office, had a right to state the real sense in which he meant to take the test; that his only motive was a wish to exonerate his conscience, and avoid all manner of evasion or equivocation; and that no reasonable man would confound a confidential communication to the council with an attempt to breed discord and sedition Dec. 12. between the king and his subjects. But the lords of

[1] Stewart's case of the earl of Argyle, with several other documents in State Trials, vii. 866, 883.

justiciary pronounced their opinion, that the offences charged amounted to the guilt of treason, leasing-making, and leasing-telling, but not to that of perjury;[1] and the assize or jury, with the marquess of Montrose at their head, found the prisoner guilty. When Charles received the intelligence, he granted permission that judgment might follow, but added a strict injunction that the execution should be suspended till he had declared his further pleasure.[2] But Argyle dared not trust to the mercy of the sovereign against the violence of his adversaries. He did not wait for the arrival of the letter; but left his cell in the disguise of a page bearing the train of his daughter-in-law, Lady Sophia Lindsay. Though twice questioned, he contrived to lull the suspicion of the guards; and, as the king did not suffer any search to be made after him, found at first a secure asylum in England, and thence repaired in safety to Holland.[3]

Dec. 18

Dec. 21

In 1662 the earl, then Lord Lorn, had received judgment of death, because in a confidential letter he had used the words "the king will see the tricks of "my enemies," which was pronounced an act of leasing-making between the sovereign and his parliament; now a similar condemnation was pronounced against him in his absence on a charge equally absurd

Dec. 23

[1] State Trials, 908, 944; and State Tracts, ii. 151, 216. They were Collington, who was *non liquet*; Harcarss, who pronounced in favour of Argyle; Newton, Torret, and Fairn, who pronounced against him; and Queensbury, who gave no opinion, because the majority had already decided.—Fountainhall, Dec. 12, 13.

[2] See the council's letter stating that the process would be imperfect without the judgment, and Charles's answer, State Trials, viii. 946, 980.

[3] State Trials, viii. 983, 990. It was proposed the next day in council that Lady Sophia for this offence should be whipped through the streets of the capital; but James cut short the discussion by remarking "that they were not used to deal so cruelly with ladies "in his country."—James, i. 710.

CHAP. XII. A.D. 1661. and malicious. These instances show the degraded condition of the Scottish nobility at this period. So violent were the animosities engendered among them by family quarrels, so recklessly did they pursue their own advancement by the depression of their enemies, so complete was the dependence of both judges and jurors on the government, that each individual might be said to hold his life and estates at the pleasure of the sovereign. Nothing was more easy than to accomplish the ruin of an obnoxious nobleman. However innocent were his conduct, however cautious his language, something could still be discovered which the ingenuity of the advocate might convert into the capital offence of leasing-telling or leasing-making. We are indeed assured that on the present occasion neither the king nor his advisers sought to take the life of Argyle. The object of the first was to obtain possession of certain extensive jurisdictions which he deemed it dangerous to leave in the hands of a subject; of the others to gratify their revenge by the humiliation, and to improve their own fortunes out of the spoils, of an opponent. This is probably the truth:[1] but the motive can furnish no apology for the injustice and cruelty of the prosecution, which has left an indelible stain on the memory of the royal brothers, of the duke, who was persuaded to recommend it, and of the king, by whom his recommendation was approved. Argyle remained in banishment: to his son, the Lord Lorn, Charles, having previously made pro-

[1] It is positively asserted in the Life of James (vol. i. and Macpherson's remarks (i. 143, 144) that the condemnation would have been followed by a pardon. So it was reported at the time, and Argyle himself believed that on this account both judges and jurors did their utmost to the prejudice of their part in the proceedings.—State Trials, viii. 448, 450.

vision for the satisfaction of his father's creditors and the support of the younger branches of the family, restored the forfeited estates. But the hereditary jurisdictions were retained in possession of the crown; and these, together with the sheriffdoms and regalities surrendered by Hamilton and Monmouth, were parcelled out among the supporters of the court, to be holden by them during the royal pleasure.[1]

But the administration of James in Scotland was now drawing to a close. Halifax, indeed, laboured to impress on the mind of the king a notion, that to recall the duke as long as that prince professed himself a Catholic, would be to forfeit his present popularity; and Charles hesitated not to inform his brother, August 31. that he must never expect to set his foot on English ground till he had conformed to the established church.[2] From the despondency caused by this message James was relieved by the intrigues of his former enemy, the duchess of Portsmouth. To mark his sense of her connection with the popular leaders, Charles had made her feel his displeasure. She hastily retraced her steps; the king, after a short

[1] James (Memoirs), i. 711. It is, however, but justice to hear the duke's answer to Colonel Legge, who in a letter told him that many people "taxed him with severity in the affair of Lord Argyle." It is not "the first wrong of that kind which has been done me, as "those who are acquainted with the laws of this country know very "well, and (he) has but to thank himself for what has happened to "him. And to show you what wrong is done me, if I had not hindered his being fallen on in parliament, they had brought him "there in as ill a condition as to his fortune as he is now."—In Burnet, ii. 313.

[2] "Besides that in conscience I cannot do what you so press me "to, it would not be of that use or advantage to his majesty as some "think, for the Shaftesburian and republican party would say it "was only a trick, that I had a dispensation, and that I was still "a Catholic in my heart; and say there was more reason to be "affeared of popery than ever."—Ibid. 304, note.

CHAP. I. A.D. 1681.

struggle, yielded to the arts and blandishments which she knew so well how to employ; and she re-established her empire over his heart, and retained it to the end of his reign. But experience taught her to consider the brittle tenure by which she held her present greatness. Were she to survive the king without provision for the future, she could expect nothing from his successor, whom she had so deeply offended, nor from the Whigs, whose interest she had now abandoned. Charles shared her apprehensions; it was resolved to secure to her an annuity out of the income granted by parliament to the duke of York; and James unexpectedly received an invitation to meet

1682. Feb. 28.

the king at Newmarket for the purpose of making the necessary arrangements.[1] In the correspondence which followed, a private assurance was given that he should

March 12.

be allowed to fix his residence in England: at Newmarket, where he visited his brother, it was repeated in defiance of the opposition of Halifax, and of Seymour, who now supported Halifax. Elate with this

May 6.

success, he again sailed for Edinburgh, but on the sand called the Lemon-and-Ore the Gloucester frigate, which carried him, was wrecked, with the loss of two hundred men. The prince himself escaped, reached

[1] The duchess solicited from Charles the sum of one hundred thousand pounds, to be invested in some foreign security. The king had not the money, but he persuaded himself that James might grant her an annuity of five thousand pounds for fifty years out of the income of the post-office, and that she might sell it for the sum required. The duke was aware that the grant demanded of him could not be legally made without an act of parliament, but concealed this knowledge that he might have a pretence for coming to England. Of course the scheme failed; but the lady, having heard of the French pension, prevailed on Charles to give ten thousand pounds out of each quarterly payment, till the aggregate should amount to one hundred thousand pounds. At the king's death only one payment remained due.—James (Memoirs), i. 729, 730. Macpherson, i. 133.

his destination, and, bringing back his family, settled once more in the palace of St. James's.[1]

May 25.

By the Tories the return of the duke was hailed as a proof of their victory. The lord mayor and aldermen waited on him to express their joy, and addresses with thousands of signatures were presented in abhorrence of Lord Shaftesbury's project of association. Charles, however, saw that to complete his triumph it was necessary to procure sheriffs of more courtly principles than Pilkington and Shute. In former times it had been usual for the lord mayor, at the Bridge-house feast, to drink and send the cup to a citizen, who on Midsummer-day was approved of course as one of the new sheriffs, while the livery selected the other of their own free choice without the interference of the chief magistrate. The real origin of this custom was unknown, some considering it as a compromise of their respective claims on the part of the lord mayor and the livery, others as a mere compliment to the chief magistrate from the livery, who still retained the power of admitting or rejecting his nomination. From the commencement of the late rebellion the practice had been laid aside, and both sheriffs had been annually elected by the common hall. Now, however, at the recommendation of the king, Sir John Moore drank, and sent the cup to a

[1] The manner in which Burnet has related the duke's escape shows how eager he was to retail any story to the prejudice of that prince. The truth may easily be learnt from the official letter of Captain Berry (Clar. Corresp. i. 72), the letter of Sir James Dick, provost of Edinburgh (Ellis, Original Letters, second series, iv. 67; Dalrymple, ii. App. 68), and that of Lord Dartmouth, whose father accompanied the duke in the boat.—Burnet, ii. 401, note. James gave eleven months' pay to the widow of every seaman who perished, and a sum of money to each child of such seaman.—Loyal Protestant, No. 189, 193.

CHAP. I. A.D. 1682.

brother of the chief justice, Dudley North, who had previously consented to accept the office; but the opposite party, alarmed at the nomination, resolved to dispute the claim of the lord mayor. On the morning of Midsummer-day the hall was crowded with the retainers of the two factions: their clamour and violence terrified the mayor: North, the chief justice, and Serjeant Jeffries were privately in attendance to aid him with their advice; and Lord Grey, with the members of the Green Ribbon Club, directed the proceedings of his opponents. The show of hands was against the nominee of the chief magistrate, who after a long debate adjourned the hall to another day; but Pilkington and Shute declared the proceeding irregular, continued to poll for some hours, and then adjourned the court. Thus a new question arose. On the one part it was contended that the lord mayor, as he called and dissolved, had also the right of adjourning, the common hall; and that the sheriffs had no authority to preside in any civic court, because, though chosen by the city, they were in effect officers of the crown. On the other, that the lord mayor merely held the office of chairman, that the livery were the judges, and that the hall could not be adjourned without their consent. The dispute engrossed the public attention for several months. Breaches of the peace were committed and prosecutions instituted; the poll

Sept. 19. was renewed; opposite polls were opened, one by the mayor and the other by the sheriffs; and in conclusion the first declared North and Rich, the second

Sept. 28. Papillon and Dubois, duly elected. All four demanded to be sworn; but the oaths were administered only to North and Rich, and the same afternoon the old sheriffs surrendered to them the custody of the gaols

and prisons.[1] This victory was accompanied by another. At the election of lord mayor, Gould, the opposition candidate, appeared to have a majority of fifty votes; but a scrutiny turned the balance in favour of Pritchard, his competitor,[2] and the court obtained a complete ascendancy in the city, where the king had both the mayor and sheriffs at his devotion.

1. Under these circumstances Sunderland, who had already learned to condemn, hastened to repair, his error. He sought a reconciliation with the duke of York, who consented to join with the duchess of Portsmouth in soliciting the king in his favour. It was not that James at this period entertained any esteem for the versatile statesman who had so ungratefully abandoned his interests; but he feared to hazard his own influence in a contest with the duchess, who, as she had brought Sunderland into disgrace, made it a point of honour to restore him to favour. The easy monarch, happy to gratify his mistress without displeasing his brother, accepted the earl's protestations of repentance, admitted him into the council, and soon afterwards replaced him in his former office of secretary of state.[3] Sept. 20.

2. Another nobleman, of still greater importance to the party, began to waver. Monmouth remarked the rapid decline of the Whig interest; unwelcome anticipations were awakened in his mind; and he gave a Jan. 28.

[1] Compare North, 595, 624, with the extract from Narcissus Luttrell in State Trials, ix. 211, 219. That much irregularity occurred in these proceedings cannot be doubted; but the presumption is that the election of the court candidates was legal, because after the revolution, when men were eager in pursuit of vengeance, and the question was brought by petition before parliament, each house, after a separate examination of Moore and North, deemed it advisable to drop the inquiry.

[2] Ralph, 697.

[3] James (Memoirs), i. 735, 736.

CHAP. I. A.D. 1682.

tardy assent that his wife should offer his dutiful services to the king, as an opening to a reconciliation with both Charles and James. But the bitter reproaches of Shaftesbury, Lord Russell, and his other friends, made him ashamed of his weakness; he recalled his word, and, under the pretence of visiting the earl of Macclesfield, began a progress into the north with the view of reviving the affection, and of adding to the number, of his partisans. He travelled with one hundred attendants on horseback, divided into two bodies, of which one preceded, the other followed the duke. In the open space between them, Monmouth rode alone on a spirited charger, acknowledging, with bows and smiles, the courtesy of the spectators. In some places the higher classes deemed it prudent or loyal to shun his approach; but wherever the Whig interest prevailed, the gentlemen met him at the head of their respective tenants, and the populace were taught to welcome him with the ringing of bells, discharges of musketry, and shouts of "A Mon-"mouth, a Monmouth, and no York!" He was careful to appear at the principal fairs, races, and public sports; at Liverpool he assumed the royal office of touching for the evil; and wherever he dined in public, covers were laid for two hundred guests; and the people, conducted by proper officers, passed in a constant stream through the apartment, that all might gratify their curiosity with a sight of their favourite. But the jealousy of the king narrowly watched his progress; daily reports were forwarded to the council; some partial disturbances in Cheshire added to the alarm; and a warrant was issued for his apprehension on the charge of "passing through the kingdom with "multitudes of riotous people, to the disturbance of

"the peace and the terror of the king's subjects." He was walking in the streets of Stafford at the time he was taken into custody. Had Shaftesbury been at his ear, he would probably have returned into Cheshire, and have called on his friends to protect the king's son from the malice of his enemies; but he surrendered to the sergeant-at-arms, was conducted to the capital, and admitted to bail, himself in the sum of 10,000*l.*, and his sureties in the sum of 2,000*l.* each.[1]

3. From Monmouth we may proceed to Shaftesbury, whose conduct, ever since his discharge, had been to the popular leaders a subject of increasing solicitude. His temper was soured; his judgment seemed to be impaired. The growing popularity of the king, and the rapid diffusion of the doctrine of non-resistance, filled his mind with terrors, and led him to the approval of projects the most fanciful and dangerous. Under the conviction that he was marked out to be made the first victim to the ascendancy of the court, he looked on nothing as impracticable which offered a chance of shielding him from the royal vengeance; and with this view he was constantly employed in forming plans of insurrection with his subordinate agents, men of desperate fortunes, and equally desperate counsels. They were Walcot, formerly an officer in the Irish army under Cromwell, and afterwards engaged in several conspiracies; Rumsey, a military adventurer, who had distinguished himself in the war of Portugal; Ferguson, an Independent minister from Scotland, animated with the most bitter hatred of the royal brothers; and West, a practitioner

[1] James (Memoirs), i. 737. Macpherson, 136. Bulstrode, 319. Lord Grey's Confession, 18. West's examination in Sprat, 33. Somers' Tracts, viii. 404. Dalrymple, Mem. i. 7.

CHAP. I. A.D. 1682.

in the law, and a diligent collector and distributor of reports in the coffee-houses. These, having formed connections with men of similar habits and principles, persuaded him that they could raise the city at his nod; but the other leaders entertained a more correct notion of his resources, and, apprehensive that a premature rising might plunge the whole party into destruction, shunned his company, and objected to his proposals. The renewal of the contest for the appointment of the sheriffs, the perseverance, and finally the victory, of the king, augmented his alarms. He believed that his life would be in jeopardy the moment that the nomination of jurors fell into the hands of officers devoted to the crown. Once he thought of seeking a reconciliation with the duke of York; but the overture was made in language so ambiguous, that James returned this cautious answer: "Though Lord Shaftes-"bury has been the most bitter of my enemies, all his "offences will be forgotten, whenever he becomes a "dutiful subject to his majesty." The earl did not pursue the attempt. Leaving his own house, he concealed himself in different parts of the city, and by repeated messages urged the duke of Monmouth, the earl of Essex, and their friends to rise in arms. But disappointment followed disappointment: his fears of discovery increased; he repaired, in the disguise of a Presbyterian minister, to Harwich, whence, after some time, he sailed to the coast of Holland. Amsterdam received the fugitive; where he was afterwards visited by Oates and Waller; but anxiety and vexation had impaired his health; the gout fixed itself in his stomach; and he expired about two months after his departure from England.[1]

December.

1683. Jan. 21.

[1] James (Memoirs), i. 734. Burnet, ii. 339, 340. Lord Howard's

4. Under the Whig sheriffs the Whigs triumphed in the courts of justice. Their adherents were invariably acquitted; and the only chance of safety for their opponents lay in the change of the venue to an indifferent county, the grant of which by the judges was constantly followed by the abandonment of the action on the part of the prosecutor. But now the Tories were lords of the ascendant, and the Whigs in their turn learned to quail before the juries summoned by Tory sheriffs. Pilkington had scarcely laid down his office when an action of *scandalum magnatum* was brought against him by the duke of York, for having said, on occasion of a dinner given to that prince by the artillery company, "The duke has burnt the "city, and has now come to cut our throats." The cause was tried before a special jury of the county of Hertford, who awarded damages to the amount of one hundred thousand pounds. That the libel was most atrocious will be granted; but the punishment was severe beyond reason, and equivalent to imprisonment for life at the pleasure of the prosecutor.[1] In like manner Sir Patience Ward was convicted of perjury, and the late sheriffs, Pilkington and Shute, Bethel and Cornish, with Ford, Lord Grey, and several others, of a riot and assault on the lord mayor at the last election.[2]

1682. Nov. 24.

But that which excited the most intense interest was the argument on the *quo warranto* against the city of London, before Sir Edmund Sanders, the

information, Sprat, 67, 76. Lord Grey's Confession, 15, 40. D'Avaux (i. 126, 139), who fixes his death on the 24th of January. Rawleigh Redivivus, 123, 125.

[1] See the extract from Narcissus Luttrell, State Trials, viii. 823, 825.

[2] State Trials, ix. 187, 351.

CHAP. I. A.D. 1682. chief, and the other judges of the King's Bench. Sawyer, the attorney-general, rested his case on two facts: that the city had imposed an arbitrary tax on merchandise brought to public market, and had circulated a printed petition charging the king "with "having interrupted by the prorogation of parliament "the making of provisions necessary for the preser- "vation of himself and his Protestant subjects." The first of these, he contended, was contrary to law, the second a libel on the sovereign; whence it followed that, since the city had abused its franchises, it had forfeited them into the hands of the authority from which they originally emanated. His opponents argued, that the rates were reasonable, and as such authorized by custom and different charters; that the publication of the petition, a thing lawful in itself, had been ordered, not to raise a clamour against the king, but to appease the agitated minds of the citizens; and that if, in either of these acts, any offence had been committed, it should be visited on the offenders themselves, and not on the innocent body of freemen, amounting to fifty thousand individuals.

After a long delay, in the hope that the city would avert the infliction of punishment by an offer of sub-

1683. June 12. mission, the attorney-general demanded, and the court pronounced, judgment, "that the franchise and liberty "of the city of London should be taken and seized "into the king's hands."[1] To leave, however, an

[1] State Trials, 1263; and extract from Luttrell's MS. If we may believe Hawkes, Kennet, and their followers, the judgment was given by two judges only, one of whom had heard but half of the argument. But the fact is the contrary. Sanders, indeed, was not in court—he was confined to his bed by a stroke of apoplexy—but he had previously given his opinion, and his three brethren, Jones, Raymond, and Withens, in delivering judgment, asserted that the same was to

opening for repentance, no entry was made; and the common council presented a petition to the king, expressive of their deep sorrow and contrition for the acts which had drawn upon the city the royal displeasure, and begging his majesty to grant them his pardon, and extend to them his compassion. The answer returned by North, who, on the death of the lord chancellor, had been appointed lord keeper, openly acknowledged the real grounds of the proceeding. The king, he said, had patiently borne the seditious meetings in the coffee-houses, the publication of libels, the riots in the streets, and the insults offered to the courts of justice. He never thought of questioning their charter till the government both of church and state was brought into danger by a factious party, who, to secure their own impunity, had by violence usurped the election of the magistrates. It was to put an end to these evils, and not to punish the city, that he had proceeded by a *quo warranto;* and even now that judgment had been pronounced, he sought not to deprive it of its former franchises, but merely, as a measure of prevention, to obtain a veto on the appointment of the lord mayor, sheriffs, recorder, common-sergeant, town-clerk, coroner of London, and steward of Southwark. Let them arrange this with the law-officers of the crown, and all their liberties should be again confirmed. The common council assented to the condition; but difficulties occurred, delays were created, and at last the judgment was entered. The king immediately empowered the late lord mayor to continue in office, appointed a new court of aldermen, from which eight of the former

June 18.

June 20.

Oct. 4.

their knowledge the opinion of the chief justice.—See State Trials; and Luttrell, *supra*.

CHAP. I. A.D. 1683.

aldermen were excluded, and granted commissions to the sheriffs and other officers of the defunct corporation to execute their respective duties in the usual manner. The consequence was that the income of the city, its form of government, and the administration of justice were preserved: the change which took place affected not the duties of office, but the choice and character of the magistrates: hitherto they had generally been the opponents, now they were selected from the advocates, of the court.[1]

5. About this time occurred a most important discovery, which gave to the king the undisputed superiority over his opponents during the remainder of his reign. The sudden flight and subsequent death of Lord Shaftesbury had made little alteration in the councils of his friends or dependants. Walcot and Ferguson returned to London: the agitation caused by the discussion of the *quo warranto* reanimated their hopes; frequent consultations were held, and measures were proposed by the more violent, not only for an insurrection in the city, but also for the assassination of the royal brothers at Whitehall, or in the theatre, or at a farm belonging to one of the conspirators, called the Rye House, and situate in a lonely spot near Hoddesdon, on the road by which the king usually returned from Newmarket to London. By means of Lord Howard of Escrick an indirect communication had all along been maintained between these men and the more discontented among the Whig leaders, the duke of Monmouth, the earl of Essex, the Lord Grey, Lord William Russell, Algernon Sidney, and Mr. Hampden, who, though they refused to hear any mention of assassination, were willing to employ

[1] State Trials, 1273—1283. North, 633. Echard, 1036.

the services of those among whom the notion originated. To these the higher classes of conspirators, a simultaneous rising in the city, in several counties, and in Scotland, appeared the most likely plan to gain the superiority, and extort the royal assent to their proposals; and for this purpose they renewed the negotiation with the exiled earl of Argyle, which had been begun by the earl of Shaftesbury. Of Shaftesbury Argyle had demanded thirty thousand pounds towards the attempt; he now reduced his demand to eight thousand pounds, on the receipt of which he would send arms and ammunition from Holland, and, proceeding to Scotland, would place himself at the head of his friends. There is reason to believe that the proposal was accepted: the intelligence received by the government stated that the lords Grey and Russell undertook to raise the money; and, if credit can be given to Grey, a considerable portion of it was actually furnished by the latter. CHAP. I. A.D. 1683.

It chanced, however, that on the 1st of June a Scotchman was arrested at Newcastle, the bearer of an enigmatical letter, calculated to awaken suspicion; and that on the 12th, the day on which judgment was pronounced against the city, Josiah Keeling, one of the inferior conspirators, offered to reveal the plans and proceedings of his associates to Legge, lately created Lord Dartmouth, and a member of the privy council. Hints of the discovery of a plot were immediately whispered through the city: the guilty, disappointed of the means of escape by the river, absconded; and a proclamation appeared offering a reward of one hundred pounds for the apprehension of each out of nine persons therein mentioned, who all belonged to the class of inferior conspirators. The same day West, June 1. June 12. June 18. June 23.

CHAP. I. A.D. 1683. — June 24. and the next Rumsey, surrendered; but the king refused them a pardon, because he would not, as had been done in the investigation of the popish plot, purchase the testimony of informers. It made, however, but little difference. The very uncertainty as to their fate, in which the prisoners were left, prompted them to deserve mercy by the importance of their disclosures; and Rumsey gave in successively five, West June 25. not fewer than fourteen, informations. Shepherd June 26. came next: he betrayed the meeting of the Whig June 28. leaders at his house; Russell, Sydney, and Wildman were arrested and committed to the Tower; and a second proclamation was published with the offer of a reward of five hundred pounds for the apprehension of the duke of Monmouth, or Ford, Lord Grey, or Sir Thomas Armstrong, or Robert Ferguson. All four July 8. had the good fortune to escape; but Lord Howard of July 10. Escrick and the earl of Essex were taken and confined in the Tower.[1]

These proclamations and arrests furnished a new stimulus to the loyalty of the Tories, who hastened with addresses of congratulation to the foot of the throne. At the same time the crown lawyers pro- July 12. ceeded with unwonted celerity. In a few days Hone, Walcot, and Rouse, three of the minor conspirators, were tried, and convicted on the evidence of their associates: nor did they so much deny their guilt, as complain of their hard fortune in being betrayed by the very men who had drawn them into the com- July 13. mission of the offence. The trial of Lord William Russell excited more general interest, as it promised a solution of the important question, whether the

[1] See Lord Grey's Confession, and the numerous depositions in Sprat's History of the Rye-house Plot.

Whig leaders were implicated or not in the plans of the minor conspirators. The witnesses against him were Rumsey, Shepherd, and Lord Howard. Rumsey deposed that the prisoner had attended a consultation at the house of Shepherd, of which the object was to determine the possibility of surprising the king's guards at the Savoy and the Mews; and Shepherd, that Lord Russell was certainly present at a meeting in his house of the persons named by Rumsey. When Lord Howard was called, a rumour ran through the court, that Lord Essex had that very morning committed suicide in the Tower.[1] By the judges, the jury, the spectators, the fact was taken as a proof of the guilt of that unfortunate nobleman; and with such impression on the mind it was difficult not to form the same conclusion as to his intimate friend and associate, the prisoner at the bar. As soon as the shock had subsided, Howard gave his evidence in an artful narrative, which, while it detailed at length the plans and proceedings of Shaftesbury and his immediate accomplices, touched but sparingly and tenderly on the con-

[1] Lord Essex was of a melancholy temperament, and disposed in company to defend the practice of self-murder. On his apprehension he laboured under such confusion of mind before the council that he knew not how to express himself. His countess succeeded in calming his spirits; but when he saw from the window of his cell Lord Russell led to trial, he relapsed into the same state of depression, and bolted the door of his closet; in which he was soon afterwards found with his head nearly separated from the body. It was supposed that he had been driven to this desperate act by self-reproach, by the consciousness that to him was owing the danger in which Lord Russell then stood; for the latter had always refused to have any communication with Lord Howard, till he was unknowingly led into the company of that nobleman by Lord Essex.—See Burnet's Journal, in App. to the Life of William Lord Russell, ii. 262. I shall not detain the reader with the story of the murder of Lord Essex by the king and the duke of York, a story so utterly improbable, that it could never have obtained circulation had it not been through the violence of party.

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duct of Lord William Russell. That the disclosure was wrung from him by the hope, perhaps the secret promise, of pardon, cannot be doubted; that he deserved all the obloquy which it has entailed on his character may likewise be true; but there exists no pretence for charging him with false testimony. It is plain that he was a reluctant witness; that he knew more than he was willing to disclose; that he sought not to establish, but rather to extenuate, the offence of the accused. The only point in his evidence which could affect Lord Russell, was that he had twice assembled with Monmouth, Essex, Grey, Howard, Sydney, and Hampden, the first time to consult on the most proper place for the commencement of an insurrection, and the second on the propriety of sending an agent to form a party in Scotland, a measure which was accordingly adopted. Lord Russell made but a feeble defence. He acknowledged that he was present at the meeting at Shepherd's; but it was by mere accident; he stepped in for the purpose of tasting some wine, and heard no mention of any design of surprising the guards. He was also present at the meetings described by Lord Howard; but recollected no other subject of conversation than the public news of the day. He denied that credit was due to the witnesses against him, because they laboured to save their own lives by bringing his into danger; and he proved that Lord Howard had on some occasions denied the existence of any plot, and on another had asserted the innocence of Lord William Russell upon oath. At the request of the jury Lord Howard was re-examined. He replied that he had done nothing which any other man in his situation would not have done. As long as he was at liberty, it was plainly

his interest to ridicule the plot as forgery; and when the design of assassinating the king was mentioned in his presence, he hesitated not to assert with an oath, what he could assert with truth, that Lord Russell was innocent of any such offence.

The chief argument alleged by the prisoner was drawn from the statute of the 25th of Edward III. That statute pronounced the act of levying of war, not the intention of levying war, to be treason. By confining the guilt of treason to the act, it removed it from the intention. Now, supposing all the evidence against him to be true, it might prove his intention; but not one of the witnesses asserted that he had proceeded to any open act. The same reply was made which would be made to the same arguments at the present day; that it was the doctrine of the courts of law, that actually to levy war against the king amounts in all cases to the guilt of treason; and that to conspire to levy war is also treason, when the object of such conspiracy is to destroy, or depose, or restrain, and control the king; and that, whether such was or was not the object of the consultations at which Lord Russell attended, was a question for the determination of the jury. The jury returned a verdict of guilty.[1]

If we may credit report, a strong appeal was made to the indigence of Charles in favour of the unfor-

[1] State Trials, 578—636. Burnet, ii. 365—369. After the revolution the sheriffs, the secondaries and their clerk, and the ten surviving jurors, were examined before a committee of the House of Lords; but the result of their answers is that the jury were fairly selected, and that no attempt was made to influence their verdict. —Lords' Journals, xiv. 381, 382, 383, 389, 392. His attainder was, however, reversed on account of "undue and illegal return of "jurors, he having been refused his lawful challenge to the said "jurors for want of freehold, and of partial and unjust constructions "of law."—Stat. 1 William and Mary.

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tunate prisoner. The duchess of Portsmouth received a hint that a large sum,—fifty thousand pounds, perhaps one hundred thousand,—would be given in return for a pardon. But the king treated the proposal as an insult. "I will not," he hastily replied, "sell "my own and my subjects' blood at so cheap a rate."[1] Lord Russell himself was drawn, by the earnest entreaties of his wife, to petition the king, and to solicit the intercession of the duke of York. To the former he most solemnly maintained that he never cherished a thought against his life or against the government. At the same time he confessed, with humility and sorrow, that he had been present through ignorance and inadvertence at meetings which were unlawful in themselves, and provoking to his sovereign; and he therefore declared himself ready to spend the remainder of his days wherever the king might appoint, and promised never more to interfere in political matters without his majesty's command.[2] Lord Russell indulged no hope of success from this petition. It could not be expected that Charles should extend to one whom he thought guilty of treason that mercy which the same individual and his associates had by intimidation prevented him from extending to so many victims whom he believed to be innocent. It cost the unfortunate prisoner still more to solicit the favour of the duke of York, whom for several years he had pursued with the most bitter and unrelenting hostility.

[1] Luttrell, in State Trials, 1010. Burnet, ii. 369. This story receives some confirmation from a passage in the earl of Bedford's petition; that he never had the presumption to think that the royal mercy could be obtained by *indirect* means; but should think himself, his wife, and children much happier to be left but with bread and water than to lose his dear son for so foul a crime against the best of princes.—See it in Life of William Lord Russell, ii. 78.

[2] Ibid.

It was to the influence of Lord Russell's authority, as much as to the contrivance of Shaftesbury, that the duke owed his banishment from the council and the country; Lord Russell had moved and supported in successive parliaments the bill of exclusion, and it was in reality to deprive him of the succession, and perhaps of life, that he had engaged in those intrigues for which he had been condemned. In his letter to that prince he made no attempt to disguise the part which he had taken, but declared that his conduct did not arise from any personal animosity, or evil design; he had acted with sincerity, and under the persuasion that the bill of exclusion was the most eligible way of preserving the religion established by law: now, however, he was ready to engage "never any more "to meddle in the least opposition to his royal high-"ness;" and he promised that the interference of the duke on his behalf, as it was a favour beyond what he could expect, should make on him the deepest impression, and lay him under the most lasting obligation.[1] Both princes were inexorable. James, indeed, consented to hear what his friends could urge in his favour; but Charles listened to their prayers with impatience; and when Lord Dartmouth represented to him the influence of the Russell family, whom it was better policy to conciliate than offend, and his personal obligations to the earl of Southampton, whose daughter Lord Russell had married, he briefly replied, "All that "is true; but it is as true, that if I do not take his "life, he will soon have mine." It was, indeed, thought that Charles might have relented, if Lord Russell could have been induced to admit the doctrine of passive obedience; but the arguments and

[1] Ibid. 79—81. Burnet's Journal, 262.

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entreaties of Burnet and of Tillotson were equally fruitless; he persisted in his former opinion of the lawfulness of resistance to the encroachments of authority; and, as he was known to hold that existing circumstances called for such resistance, Charles might thence infer that the pardon of the prisoner was irreconcilable with the safety of his own person.[1] But though he refused to grant the petition of the prisoner, he gave him to understand that no advantage should be taken of his forfeiture to the prejudice of his wife or children.[2]

[1] Burnet, Hist. ii. 370, note.

[2] Burnet's Journal, 274. Lord Russell's Life, 129. It appears from the life of Tillotson by Birch, that on the 16th Burnet argued with Lord Russell respecting the question, whether the people "might defend their religion and liberties, when invaded and taken "from them, though under pretence and colour of law." Burnet believed that he had convinced him of the unlawfulness of resistance, and communicated the fact to Tillotson, Tillotson to Lord Halifax, and Halifax to the king. On Charles it made a deeper impression than anything which had been said in Lord Russell's favour before. When, however, Tillotson visited the prisoner on Thursday, he found him fixed in his former opinion, and the utmost which he could extract from him was the assertion that, if he had done wrong in this persuasion, he had sinned through ignorance. The dean administered the sacrament to him the next morning, but afterwards appears to have been induced by his own scruples to write to him a letter, which he delivered in person. "My end," he said, "is to "convince your lordship that you are in a very great and dangerous "mistake; and, being so convinced, that which before was a sin of "ignorance, will appear of a much more heinous nature, *as in truth* "*it is*, and call for a very particular and deep repentance. . . . I am "loth to give your lordship any disquiet in the distress you are "in . . . but am much more concerned that you do not leave "the world in a delusion and false peace, to the hindrance of "your eternal happiness." His arguments against Lord Russell's opinion are, 1. The Christian religion doth plainly forbid the resistance of authority. 2. The law which has established the Protestant religion, hath declared that it is not lawful on any pretence whatsoever to take up arms, &c. 3. The opposite opinion is contrary to the declared doctrine of all Protestant churches. Lord Russell, taking the letter, retired to another apartment, and returning after some time, said that he was not convinced, but that, as he was

Lord Russell met his fate with resignation and fortitude. It was not that he felt no pang at the thought of being separated from all that he valued in life—for, when he spoke of his wife, a tear would occasionally steal from his eye, and betray the emotion which he strove to conceal—but he sought and found consolation in the assurance of the divine mercy, and in the persuasion that his conduct had been justified by the principles which he conscientiously approved. He sometimes mentioned Lord Howard, but with scorn, pronouncing himself, even with sentence of death suspended over his head, more happy than the man who, to purchase life, had descended to the disgrace of betraying his associates. In conversation he was calm, and frequently cheerful; of Lady Russell, her noble qualities, and her exertions for his life, he spoke in terms of tenderness and gratitude; and when he had parted for the last time from that admirable woman, who had the fortitude to control her own feelings that she might not add to the poignancy of his, turning to Burnet, he exclaimed, "Now the bitterness of death is past." The next morning, attended by Tillotson and Burnet, he was conveyed in his own carriage to Lincoln's Inn Fields, the place appointed for the execution. The crowd

July 20.

July 21.

willing to be so, he hoped God would forgive him if he were in error. It is worthy of remark that Burnet makes no mention of his conference with Lord Russell on this subject in his journal, though he pronounces that journal "a punctual and true relation of all that "he could remember between the noble prisoner and himself."—Journal, 279. After the revolution he alludes to it in his history; but at that time passive obedience was no longer in favour; and therefore, instead of owning that he and Tillotson endeavoured to impress that doctrine on the mind of Lord Russell, he only represents them as maintaining that "the party had gone too quick in "their consultations, and that resistance, in the condition in which "they were then, was not lawful."—Burnet, ii. 372.

CHAP. L A.D. 1683. was immense, and a strong military force had been called out in aid of the civil authorities. Lord Russell said little on the scaffold, but delivered a written speech to the sheriffs. He exhibited no symptom of perturbation, and after the example of Lord Stafford, refused to give any sign to the executioner, who, having deliberately taken his aim, at two strokes severed the head from the body.[1]

By the industry of Lady Russell her husband's written speech was already printed, and circulated through the capital. It was the result of much consideration, and had been submitted to the inspection of Burnet. In it Lord Russell stated that he died a Protestant, and in the communion of the church of England, "though he could never rise up to all the "heights of many people;" that in the prosecution of the popish plot he had acted on the conviction of its reality, which conviction he still retained, and that he knew nothing of any practices to suborn and instruct the witnesses; that he had taken an active part in favour of the bill of exclusion, because he thought that measure necessary to free the nation from the pollution of popery, and to secure the king's life from the danger to which it was exposed through the expectation of a popish successor; that, in the meeting at Mr. Shepherd's there was some discourse of surprising the guards, but without any engagement to make the attempt, and that many things were said with more heat than judgment, which, though he disapproved in his mind, he did not sufficiently discoun-

[1] State Trials, 683, 1010. "Il témoigna beaucoup de fermeté en "mourant. . . . Plusieurs personnes trempèrent leurs mouchoirs dans "son sang. C'est une coutume parmi les Anglois, qui marque leur "vénération pour celui qui meurt."—Barillon, 3 Août, N.S.

tenance in words; and that this was not an actual levying of war against the king, which alone is declared treason by the statute of Edward III., whence it followed that he was innocent of the crime for which he stood condemned. He concluded in the following words: "And now, to sum all up, as I had "not any design against the king's life, or the life of "any man whatsoever, so I never was in any con- "trivance of altering the government. What the "heats, passions, and vanities of other men have oc- "casioned, I ought not to be responsible for, nor "could I help them, though now I suffer for them. "But the will of the Lord be done, into whose hands "I commend my spirit."[1]

This paper was calculated to create a strong persuasion of his innocence; but on a close examination it will be found to savour more of the cunning of Burnet, than of the ingenuity of Lord Russell.[2] From the crimes which it denies, posterity has long ago absolved the unfortunate victim. He was too honourable a man to dip his hands in the blood of the king, or to seek the life of any other individual unless by the course of law; and his predilections in favour of monarchy forbade him to aim at the subversion of that constitution under which his family enjoyed such rank and influence. But there were other charges against him. Was he not a party to the design of

[1] State Trials, 685.

[2] Both Charles and many others thought Burnet the author, who as well as Tillotson was examined on the subject, and dismissed. Lady Russell wrote to the king in favour of Burnet, stating that she had often heard her husband say all that was contained in the paper. After the revolution, however, Burnet acknowledged that the plan and order was his.—See Burnet, iii. 372. See Lady Russell's letter in Life of Lord Russell, ii. 124; and Burnet's Journal, ibid. 266; also Luttrell, State Trials, 1011.

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compelling the king by force to banish and disinherit the presumptive heir to the crown? Had he not attended meetings of which this was the only real object? Did he not concur in the design of raising an insurrection in Scotland to co-operate with another in England for the same purpose? On these questions, which hardly admit of doubt,[1] he is studiously silent; probably because he could neither deny them with any regard to truth, nor admit them without danger to his associates. That he justified such attempts to his own conscience cannot be questioned; they were consonant to the principles which he maintained, and which in a few years led to the revolution of 1688. But when he embarked in them he must have been aware that he staked his life on the result. Never was any government, however liberal, known to admit in practice that insurrection against itself ought to be suffered with impunity.

The 21st of July is a day memorable in our annals. On it perished Lord William Russell, a martyr to the doctrine of the lawfulness of resistance, and on the same day the university of Oxford published its celebrated decree in support of passive obedience. "To "the honour of the Holy and Undivided Trinity, the "preservation of catholic truth in the church, and "that the king's majesty might be secured both from "the attempts of open bloody enemies, and the ma- "chinations of treacherous heretics and schismatics," that learned and orthodox body consigned to everlasting reprobation the following doctrines: that civil authority is originally derived from the people; that there exists any compact, tacit or express, between the prince and his subjects, from the obligation of which,

[1] See Burnet, ii. 344, 347, 360, 362.

if one party resile, the other is of course discharged; and that, if the sovereign govern not, as by the law of God and man he is bound to govern, he forfeits the right which he previously had to the government. In addition they enjoined "that all and singular the "readers, tutors, and catechists should diligently in- "struct and ground their scholars in that most neces- "sary doctrine, which in a manner is the badge and "character of the church of England, of submitting to "every ordinance of man for the Lord's sake, teach- "ing that this submission and obedience is to be clear, "absolute, and without exception of any state or "order of men."[1] Five years did not elapse before the framers of this decree were called upon to practise the doctrine which it taught. They felt its inconvenience: "the badge and character of the "church of England" were thrown away; and the university made a present of its plate to the invader, who sought to deprive the reigning sovereign of his crown.

[1] To these propositions are added four-and-twenty others taken from the works of Buchanan, Bellarmine, Milton, Goodwin, Baxter, Owen. Knox, Hobbes, Goodman, Cartwright, and others, asserting that the king has but a co-ordinate authority with the other two estates, and may be overruled by them; that it is lawful to exclude the next heir from the succession; that subjects may lawfully enter into leagues, covenants, and associations without the permission and against the prohibition of the sovereign; that possession and power give right; that oaths are unlawful; that dominion is founded on grace; that kings are bound to submit to presbyterian government as the sceptre of Christ's kingdom; that wicked kings and tyrants ought to be put to death; that it is lawful for a private man, having a call from God, to kill a tyrant; and that Charles I., having made war on his parliament, ceased to be king, and might lawfully be put to death. The decree pronounced "all and every of these propo- "sitions false, seditious, and impious; most of them heretical and "blasphemous, infamous to the Christian religion, and destructive "of all government in church and state," and ordered the books containing them to be burnt.—Wilkins, Con. iv. 610. Somers' Tracts, viii. 420, 424. State Tracts, ii. 153.

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Previously to the succeeding trial, that of Algernon Sydney, a new chief justice was appointed, Sir George Jeffreys, of infamous memory. During the sickness of Sanders, his predecessor, he had been recommended by Sunderland to the king; but Charles expressed a doubt whether his knowledge were equal to so elevated an office, and some reluctance to place a serjeant over the heads of the other judges.[1] By what arguments the objections of the monarch were removed, is unknown; but three months after the death of Sanders, Jeffreys took his seat as chief on the bench. During his practice at the bar he had proved himself a shrewd and intelligent lawyer, able to discern at the first glance the real merits of a cause, and possessing a greater portion of legal learning than could have been expected from a man habitually devoted to the pleasures of the table. But other qualities are supposed to have influenced the choice of the government. Jeffreys was servile to men in power; he hated the Whigs, who had deprived him of the recordership of London; his arrogance and violence would enable him to bear down all opposition in his court; and public opinion, the best and most effective check on the passions of those who administer the laws, was held by him in sovereign contempt.

Sept. 28.

Nov. 21.

At the trial of Sydney the eyes of the spectators watched alternately the conduct of the judge and of the prisoner, who stood before them as the two champions of the opposite parties. On the one hand, the cool judgment, the undaunted spirit, and the eloquent defence of Sydney excited admiration; on the other, Jeffreys showed that he was able to control the impetuosity of his temper, adopting a courtesy of language,

[1] See Sunderland's letter in Clar. Corresp. i. 82.

and a tone of impartiality, which no man would have anticipated from his previous character.[1] The principal witness was Lord Howard, who repeated his former testimony, and declared that Sydney was a member of the council of six; that he had attended one meeting at the house of Hampden, and another at that of Lord Russell; and that he had undertaken to send Aaron Smith to Scotland, to confer with the discontented in reference to an insurrection in that kingdom, and to prevail on some of them to come to London under pretence of proceeding to Carolina. The prisoner contended, with considerable force, that the evidence of Howard deserved no credit. He was a prisoner lying under the same charge; he sought to earn his own pardon by establishing the guilt of others; and he had solemnly asserted, occasionally with the sanction of an oath, as was proved by ten irreproachable witnesses, that the whole story of the conspiracy was a mere fiction. To this the crown lawyers replied that, if the testimony of accomplices were to be rejected, few conspiracies would ever be proved; that the denials of Lord Howard were made when he was at large, and when it was his interest to create a disbelief of the plot; and that the earnestness with which he laboured to produce this effect could have sprung from no other source than his own consciousness of guilt. The jury believed him, nor has time brought anything to light which can throw discredit on his testimony. Though Russell, Sydney, and Hampden attempted to show that in some particulars it was improbable, not one of them, either at

[1] Sydney in his apology (State Trials, ix. 823) complains that the chief justice would not allow his exceptions to the jurors. Yet the panel contains the names of eighty-nine persons (p. 824), of whom fifty-five were challenged, or absent or excused.

CHAP. I. A.D. 1683. his trial or after judgment, ventured to pronounce it substantially false; and Hampden subsequently to the revolution boasted before the committee of the House of Lords that, "the coming into England of King "William was nothing else but the continuation of "the council of six."[1]

To corroborate the testimony of Lord Howard, the attorney-general proved by several witnesses that the persons mentioned by him actually arrived in London from Scotland, and gave out as the cause of their arrival the pretence suggested at the meeting. He then proceeded from parole to written evidence, exhibiting, "as another overt act of treason," a manuscript apparently in the handwriting of the prisoner, calculated to excite the people to sedition. By Sydney it was argued, that the identity of hands ought not in criminal cases to be inferred from conjectural evidence: that the manuscript, a refutation of Filmer's work upon government, being composed many years ago, could have no relation to a conspiracy supposed to be set on foot in the preceding month of January; that a private writing was not an overt act within the meaning of the statute; and that to every overt act the testimony of two witnesses was required by law. His adversaries replied, that from the comparison of the manuscript with the admitted letters of Sydney neither court nor jury could entertain a doubt of the writer; that though the body of the work had been written some years before, the corrections in it ap-

[1] See his examination, L. Journ. xiv. 378. Burnet, indeed, in his journal says, "Lord Russell, the night before his death, said to "me in my lady's hearing, that my lord Howard in several par- "ticulars had sworn falsely and done him wrong. But I did not "reckon them up." It is not probable that, if these particulars had affected the substance of the charge, so warm a partisan as Burnet would have omitted to insert them in his journal or his history.

peared from the colour of the ink to have been recently made; that these corrections, combined with its position on Sydney's desk at the moment of his arrest, showed that he intended to make use of it at that very time; that the crime laid to the charge of the prisoner was not actual insurrection, but a design to take away the king's life, of which design a seditious writing might be considered a sufficient proof; and that it had already been decided in the case of Lord Stafford that two witnesses were required, not to each act of treason, but only to the treasonable intention from which those acts proceeded.

The chief justice in his charge to the jury summed up the evidence in a tone of candour and moderation, not often heard in those ages from that bench. But when he came to expound the law, he laid down doctrines from which the common sense of mankind will instinctively revolt. Lord Howard, he said, had proved the traitorous design with which Sydney had sent for certain individuals from Scotland; others had proved that these very individuals had arrived in town: here then were the two witnesses required by the statute; for all the judges had solemnly resolved before the king in council that, to comply with that statute, nothing more was necessary than to prove by one witness an act of treason, and by another some circumstance contributing to the completion of that act. But, supposing this proof not sufficient, there was the manuscript found on Sydney's desk, a document equal in value to the testimony of two-and-twenty witnesses. It was indeed true that it remained still in the possession of the prisoner, that there was no evidence of his intention to publish it, that it bore not any necessary relation to the intended insurrec-

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tion; yet in law *scribere* was *agere*, and the writing of a treasonable, though private, paper amounted to an overt act of treason. The other judges signified their concurrence in this opinion, and the jury, subdued by their authority, returned, after a deliberation of half an hour, a verdict of guilty.[1]

When Sydney was brought up to receive judgment, he repeated, but in vain, the arguments which he had urged during the trial; and the moment sentence was pronounced by Treby, the recorder, he burst into the following exclamation: "Then, O God! O God! "I beseech thee to sanctify my sufferings, and impute "not my blood to the country or the city; let no "inquisition be made for it; but if any, and the shed- "ding of blood, that is innocent, must be revenged, "let the weight of it fall only on those that maliciously "persecute me for righteousness' sake." This passionate apostrophe, which was probably prepared for the occasion, ruffled the composure of the chief justice, who rose and said, "I pray God to work in you a "temper fit to go unto the other world, for I see you "are not fit for this." "My lord," replied Sydney, stretching out his arm, "feel my pulse, and see if I "am disordered. I bless God, I never was in better "temper than I am now."[2]

The conviction of Sydney was followed by the pardon of Monmouth, a benefit for which that nobleman was indebted to the policy, rather than the friendship, of the marquess of Halifax, who, that he might strengthen himself against the influence of the duke of York in the cabinet, sought to set up an opposite interest by reconciling Monmouth with the king.

Oct. 13. Having sounded the royal inclination, he communi-

[1] State Trials, ix. 818—895. [2] Ibid. 896—903.

cated with Monmouth in his retreat, assured him of his father's affection, and prevailed on him to address to the monarch a penitent and supplicatory letter. In it the duke solicited pardon both of the king and of his uncle, and, by confining his protestations of innocence to the charge of an intent to murder, tacitly acknowledged his participation in the design of exciting insurrection. He also promised that his future life should be spent in proving the sincerity of his repentance, and begged to be admitted to the presence of his father, "Because," he added, "I have that to "say to you, sir, that will for ever, I hope, settle you 'quiet in your kingdom, and the duke after you, "whom I intend to serve to the uttermost of my "power."[1] Charles immediately relented; he met Monmouth in secret at the house of Major Long in the city; receiving him, indeed, with an air of displeasure, but the displeasure of a parent who seeks the reformation of his child. He reproved the duke for following counsels which must lead to his ruin; spoke with severity of the character of his associates, and left him with some gracious expressions, but still in uncertainty as to the result. Another private interview and several messages followed. Charles assured him of pardon, but insisted that he should previously submit without reserve to the royal pleasure. It required all the address of Halifax to bend the reluctant mind of Monmouth to this condition. He represented it as necessary to conceal the intrigue from the duke of York; he promised that it should lead to nothing humiliating or dishonourable, and he dictated a second letter, which Monmouth with some difficulty con-

Oct. 14.

Oct. 25.

Nov. 4.

Nov. 9.

[1] See it in Sprat, 137.

CHAP. I. A.D. 1633.

sented to transcribe.[1] In this, after several protestations of regret for his past offences, he was made to throw himself "at the feet of the king to be disposed "of as he should direct for the remainder of his life;" to beg that he might be spared the ignominy of a prison and a trial, and to request advice how he might best implore the forgiveness of the duke of York, "which he would do, not as an outward form, but "with all the sincerity in the world."[2] With this letter in his hand Charles ventured to break the matter to his brother, who declared himself perfectly satisfied; and a note was sent to Monmouth stating that, "if he desired to render himself capable of "mercy, he must place himself in the custody of the "secretary, and resolve to disclose whatever he knew, "resigning himself entirely to the royal pleasure."[3] The duke obeyed; he was introduced to the two brothers: to his father he protested on his knees that he was innocent of any design against the royal life, but confessed and condemned the part which he had taken in the disloyal plans and practices of the conspirators; then turning to his uncle, he acknowledged himself guilty of many offences against him, solicited forgiveness, and promised that, if James should survive the king, he himself would be the first man to draw the sword in defence of his right whenever occasion might require. He subsequently confirmed the truth of Lord Howard's testimony, with the exception of

Nov. 15.

Nov. 22.

Nov. 24.

[1] Halifax also informed him that the queen had interceded in his favour with the duke and duchess, for which the king had thanked her.—Welwood, 321. This will furnish a reason why he solicited her intercession afterwards, when he was a prisoner in the reign of James.

[2] See it in Sprat, 189.

[3] See it in Howell's State Trials, copied from the original in the king's hand in the State Paper Office, xi. 1097.

one unimportant particular, named the chief persons on whom the conspirators depended in Cheshire, Yorkshire, and the west, and unfolded the designs of Argyle in Scotland.[1] Both Charles and James assured him of forgiveness and favour: the king presented him to the queen, the duke to the duchess; and as soon as his confession had been entered in the council-book, the proceedings for outlawry were withdrawn, and a full pardon was prepared. To add to the benefit, the king sent him a present of six thousand pounds.[2] Nov. 25.

The joy which Monmouth might have felt at this reconciliation was troubled by the reproaches of his own conscience. He had condescended to become an informer; he had purchased his own safety by betraying his associates; and his infamy had been announced to the world by the publication of his submission and confession in the Gazette. Till he received his pardon under the great seal, he was silent; but then, conceiving himself free from danger, he began to throw out hints in conversation that he had revealed nothing to the king which could be deemed confirmatory of the guilt of those who had been brought to trial. This falsehood excited the anger of his father, who, at the suggestion of Ormond, required from him a written contradiction of the report. He obeyed; but his Nov. 26. Dec. 4.

[1] See the extract in Sprat (136); another from the Memoirs of James, in his Life (i. 742); the letter of that prince to the prince of Orange, Nov. 27, in Dalrymple (App. 53); and Reresby from the testimony of Halifax (168, 175).

[2] James, ibid. State Trials, ix. 1015. Secretary Jenkins to Bulstrode, in Bulstrode's Memoirs, 352. And for the whole intrigue, Monmouth's Journal, in the Appendix to Welwood, 319—322. That this journal is authentic, as far as it goes, I have no doubt. It bears its origin on its face, and agrees with every other credible document. That it is considerably mutilated is acknowledged by Welwood himself, who was unwilling or afraid to publish passages which might be thought to reflect on certain characters.

CHAP. I. A.D. 1683. Dec. 5. letter was deemed evasive, and Charles gave him another form composed or at least written by himself. In it Monmouth was made to assert, "in consequence of reports that he had gone about to "discredit the evidence in the late trials, that the "king and the duke knew how ingenuously he had "owned the conspiracy, and that, though he was not "conscious of any design against his majesty's life, "yet he lamented the great share which he had in the "other part of the conspiracy."[1] After many a pang, and at the earnest solicitation of Lord Halifax, he copied this form, and presented it to the king: but the moment he communicated its contents to his friends, he was overwhelmed with reproaches; Lord Anglesey sent him written remarks on its dangerous tendency, and Hampden declared that he considered Dec. 6. it as his death-warrant. Agitated by shame and remorse, Monmouth passionately demanded back the paper from his father, and Charles, to soothe his feelings, assured him that it should never be produced in any court of justice, and advised him to wait a few hours, and think seriously on the consequences of his Dec. 7. conduct. In the morning he renewed his demand, and the king, having exchanged it for the original, forbade him, by the vice-chamberlain, ever more to come into the royal presence. He retired to his seat in the country, where the advice or entreaty of the duchess drew from him an offer to retrace his steps, and sign again a similar paper. But it was too late: Charles instantly rejected the proposal.[2]

[1] See it in Sprat, 141.

[2] See the king's own narrative of the whole proceeding in council (State Trials, ix. 1097–1099), the examinations of Hampden, Sir James Forbes, and Colonel Godfrey (L. Journ. xiv. 378, 380, 382); Bulstrode, 354; James, 743; Reresby, 171; Dalrymple, 54; Carte's

A belief prevailed that this conduct of Monmouth hastened, perhaps occasioned, the death of Sydney, who had petitioned for life, not in the supplicatory tone of a criminal conscious of guilt, but with the spirit and dignity of an injured man appealing to the justice of his sovereign. Charles was thought to waver; nor did he suffer the fatal warrant to be issued, till it was apprehended that to spare the life of the prisoner would be to countenance the false reports circulated by the partisans of Monmouth.[1] On the same day on which the latter was banished from the presence of his father, Sydney was led to the scaffold erected on Tower-hill. Never did man face the terrors of death with less parade or greater indifference. He suffered no friend to accompany him; he refused the aid of the ministers of religion; and, when he was asked if he did not intend to address the spectators, he replied, that "he had made his peace with God, "and had nothing to say to man." Having made himself ready, he placed his neck upon the block, and bade the executioner perform his duty.

It was the persuasion of Sydney that civil liberty could flourish only under a republican government. After the death of Charles I. his birth and abilities raised him to the highest rank among the parliamentary leaders; thence by the usurpation of Cromwell he was driven into retirement, where his promises of patient submission could not shield him from the

Ormond, ii. 532. I have described this occurrence the more minutely, as it tends to display the real characters both of Charles and Monmouth.

[1] "Sydney's life could not then have been spared, but that the "mercy would have been interpreted to proceed from the satisfac- "tion the duke of Monmouth had given the king that there was no "real conspiracy."—Ormond to the earl of Arran, Carte, ii. 533.

CHAP. I. A.D. 1683.

jealousy and precautions of the protector. The re-establishment of the commonwealth called him once more into political life, and he was employed on a mission to the court of Copenhagen when Charles II. took possession of the throne. Sydney was again prepared to submit to necessity; but his avowed hostility to the Stuarts had made him an object of more than ordinary aversion;[1] and he preferred the evil of a voluntary exile to the disgrace of asking pardon of the sovereign. From Italy he watched the progress of events; the war of 1663 summoned him from his retreat; he tendered his services to the enemies of his country, he offered to raise a rebellion in England, and he endeavoured to persuade Louis XIV. that it was for his interest to re-establish the commonwealth. Though Charles was well acquainted with his intrigues and hostility, he afterwards allowed him to visit his father, the earl of Leicester, during the last sickness of that nobleman, and ultimately granted him a pardon for his past offences, a favour which, if we may believe him, "he valued not at a lower rate than the saving "of his life." But his gratitude soon evaporated, and he employed the benefit against the benefactor. Faithful to his principles, he entered into every opposition to the government, and the English reformer became the hireling of the French ambassador. His

[1] "It is said," writes the earl of Leicester to his son Algernon, "that the university of Copenhagen brought their album to you, "desiring you to write something therein, and that you did write in "albo these words:—

Manus hæc inimica tyrannis,

"and put your name to them." Sydney answers: "That which I "am reported to have written in the book at Copenhagen is true, "and never having heard that any sort of men weare soe worthily "the objects of enmity as those I mentioned, I did never in the "least scrupule avowing myself to be an enemy unto them."—Blencowe's Sydney Papers, 209, 216.

apologists have remarked that if he took the money of France, he still persisted in that line of conduct which he deemed most beneficial to his country; which is much the same as to assert that he was mean enough to accept the wages of infamy for doing the work of righteousness. To his last breath the establishment of his beloved commonwealth was the idol of his heart, and the written speech which he delivered to the sheriff on the scaffold concluded with a prayer of thanksgiving to God, "that he died for that *good* "*old cause* in which he was engaged from his youth, "and for which God had so often and so wonderfully "declared himself." This speech the government was careful to publish, and the concluding paragraph inflicted on the cause of the Whigs an injury which they were unable to repair by the publication of Sydney's apology, a tract dated by him on the day of his death, in which he severely animadverts on the testimony of Lord Howard, and on the conduct of the judge.[1]

Three of the council of six had paid the forfeit of their lives: of the survivors Hampden alone remained in custody; and against him the charge of treason had been abandoned, and in its place a bill of indictment for a misdemeanour had been found. Monmouth, to his surprise, was served with a subpœna to give evidence on the approaching trial; nor could he avail himself of the royal promise that no use should be made of his confession; for the king replied that he was released from that engagement by the breach of contract on the part of his son.[2] The proceeding opened the eyes of the duke to the difficulties in

[1] See both the speech and apology in State Trials, ix. 907, 916 also Dalrymple, App. 56; State Tracts, ii. 266, 267.

[2] Carte's Ormond, ii. 533. State Trials, 1017.

CHAP. I. A.D. 1683. which he had entangled himself. He suddenly disappeared from his house in Holborn; and a few days later he was seen in Zeeland, on his way to the city of Antwerp. The chief witness against Hampden was Lord Howard; but the crown lawyers took the opportunity to fortify their former charge against Sydney, and proved beyond contradiction the mission of Aaron Smith to Scotland, and his return to the capital. Hampden, after a long, and apparently an impartial trial, was found guilty, and adjudged to pay a fine of forty thousand pounds, which, considering his circumstances, was equivalent to a sentence of imprisonment pending the life of his father.[1]

1684. Feb. 6.

During the course of the year two other individuals, Halloway and Armstrong, suffered death on account of the plot. Both had fled beyond the sea, and were in consequence outlawed. Halloway being apprehended in the West Indies, was brought back to England, and petitioned for mercy. The benefit of a trial, which was offered, he refused, and suffered death on the outlawry, confessing his participation in the design of insurrection, but not in that of assassination.[2] The other, Sir Thomas Armstrong, had been taken by the civil authorities at Leyden, and delivered to Chudleigh, the English ambassador at the Hague. At the bar of the King's Bench he demanded a trial, founding his claim on the statute of the 6th of Edward VI.,

April 21.

April 30.

June 14.

[1] State Trials, 1053—1126. When he complained that the fine was excessive, and contrary to the *salvo contenemento* of Magna Charta, it was answered that an offence which in reality amounted to high treason required a severe punishment, and that the provision in Magna Charta regarded amercements, and not fines.

[2] State Trials, x. 1—30. Burnet, ii. 405. James in a letter to the prince of Orange says that the trial was offered him, because it would afford another opportunity of proving from his confession the existence of the plot.—Dalrymple, 49.

which gave to the outlaw for treason, if he resided beyond the sea, the right of traversing the indictment, provided he yielded himself to the chief justice within the term of one year from the date of the outlawry. But Jeffreys replied that, though the term was not expired, his case came not within the statute. The favour was granted only to those outlaws who, being at large in foreign lands, spontaneously surrendered themselves to trial, for the purpose of proving their innocence. But he was not at large. He was a prisoner; he came not of his own will; he was brought there by force to suffer the punishment of his crime. Armstrong still insisted; he claimed as his right the benefit of the law; to which Jeffreys had the barbarity to reply; "And the benefit of the law "you shall have, by the grace of God. See that exe- "cution be done on Friday next according to law." Why, it may be asked, was that grace refused to Armstrong which had been offered to Halloway? The former had sinned more deeply. In return for the royal favour, which he formerly enjoyed, he had sold himself to the French ambassador to oppose the government of his benefactor; he had been the adviser of Monmouth in his undutiful conduct to his father, and had proved one of the most active and dangerous agents in the late conspiracy. Charles resented his ingratitude, and refused to listen to any representation in his favour. On the scaffold Armstrong imitated Lord Russell. The charge of designing to assassinate the king, and to change the form of government, he denied in the strongest terms: on the minor charge of insurrection he said nothing, and his silence was considered equivalent to an avowal.[1]

June 20.

[1] State Trials, x. 105—124. Burnet, ii. 407.

CHAP. I. A.D. 1684.

The discovery of the plot, and the subsequent punishment of the conspirators, had completed the triumph of the court. The Whigs retired from the contest: the liberal principles of government, which they advocated, were excluded from general conversation; the duty of passive obedience was inculcated at the bar, on the bench, and from the pulpit; and addresses were daily presented to the throne, expressive of the firmest attachment to the royal person, and of unbounded submission to the royal will. After a long and hazardous struggle, the king found himself invested with almost absolute power by the spontaneous declarations of his subjects; and he was careful to cultivate and improve the change, by gratifying them in a point which they deemed of the first importance to the safety of their religion. His brother was a Catholic, but it was not probable that he could survive the king many years, and his presumptive heir, the Princess Mary, had been educated a Protestant, and married to a Protestant. To add to this security Charles had insisted that her sister, the Princess Anne, should also be bred in the Protestant faith, and he now resolved to give to her a Protestant husband. For this purpose he selected George, the brother to the king of Denmark. His religion constituted the sole merit of that prince; but the announcement of the king's intention gave universal satisfaction, and the nuptials were celebrated with the applause and congratulation of the whole kingdom.[1]

[1] I should perhaps notice the severe frost at the beginning of 1684. On the 24th of January Evelyn writes thus: "The frost "continuing more and more severe, the Thames before London was "still planted with booths in formal streets, all sorts of trades and "shops furnished and full of commodities, even to a printing press.

Charles enjoyed uninterrupted tranquillity during the remainder of his reign. Relieved from the constant assaults of a powerful faction, he employed his attention in strengthening his power, and in guiding the opposite parties which sprung up among his own ministers. 1. In the course of time several boroughs, by the exercise of those exclusive privileges which had been conferred on them by ancient grants from the crown, had grown into nests or asylums of public malefactors, and on that account were presented as nuisances by the grand jurors at the county assizes. Writs of *quo warranto* were issued; the corporations thought it prudent to submit; and the old were replaced by new charters, which, while they preserved to the inhabitants the more useful of their former liberties, cut off the great source of the evil by giving to the county magistrates a concurrent jurisdiction with those of the borough. But the reformation of abuse was quickly made the pretext for increasing the influence of the crown; and the success with which this was effected, in a few instances, excited a wish of extending the alteration to every part of the country. Hitherto, for several years, the Whigs had possessed in many places the power of returning individuals of their own party as members of parliament; by the new charters an adverse interest was established in

". . . Coaches plied from Westminster to the Temple, and from "several other stairs to and fro as in the streets, slids, sliding with "skates, a bull-baiting, horse and coach races, puppet plays and "interludes, cooks, tipling, and other lewd places, so that it seemed "to be a Bacchanalian triumph or carnival on the water. . . . London, "by reason of the excessive coldness of the air hindering the ascent "of the smoke, was so filled with fuliginous steam of the sea-coal, "that hardly could one see cross the streets, and this filling the "lungs with its gross particles, exceedingly obstructed the breast." —Evelyn, iii. 109.

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each borough, and the choice of representatives was confined to persons attached to the court. On this account the inducements of promises and threats were held out to corporations, to prevail on them to part with their ancient privileges; every surrender of a charter was received with expressions of gratitude by the ministers; and the persons who had been instrumental in procuring such surrenders received assurances of favour and reward. Of these Jeffreys, as he was the most eminent in office, became the most distinguished by his success. When he departed from court for the northern circuit, Charles gave him publicly a ring from his finger; notice of the royal gift was published in the Gazette; and the hope of profiting by the influence of so distinguished a favourite led the corporate bodies whom he addressed to submit implicitly to his suggestions. Neither had the boroughs much reason to complain. By the renewal of their charters they lost no franchise which it was reasonable that they should retain; many acquired rights which they did not previously possess; but individuals suffered, because the exercise of authority was restricted to a smaller number of burgesses, and these, according to custom, were in the first instance named by the crown. The surrender and renewal of charters continued to the end of this, and during great part of the next reign.[1]

2. At the same time a succession of prosecutions at the instance of government intimidated and silenced its adversaries. Some persons were brought to trial for seditious or slanderous words, several for the publication of libels; Braddon and Speke for a conspiracy to fasten on the royal brothers the guilt of the

[1] North, 624—627. Bulstrode, 388. Echard, 1043, 1045.

murder of Essex; and Dutton Colt and Titus Oates for *scandalum magnatum* against the duke of York. That these men were guilty of the offences imputed to them cannot be disguised; but in many cases the punishments inflicted of fine and the pillory were unjustifiably severe; and it would have been more magnanimous in the duke to have despised the habitual slander of two miscreants, than to have them immured in prison in consequence of the damages awarded to him to the amount of one hundred thousand pounds. The last prosecution of consequence was that of Rosewell, a dissenting minister, for the offence of high treason. The jury found him guilty; but a doubt existed of the credit due to the witnesses; and, as Jeffreys countenanced his objections against the accuracy of the indictment, the king granted him a full pardon.[1]

CHAP. I. A.D. 1684. — Nov. 18. Nov. 27.

3. Five years had elapsed since the committal of the earl of Danby and the Catholic lords to the Tower. Of the unparalleled hardship of their case no doubt can exist; but the king had hitherto shrunk from any measure which, by relieving them, might revive the clamour of his enemies; and prudence taught the judges not to interfere with the jurisdiction of the high court of parliament. Now, however, the ascendancy of the Tories seemed to be firmly established; the death of Lord Petre, whose constitution sunk under the rigour of a long confinement,

Jan. 28.

[1] The reader will be surprised to hear from the lips of Jeffreys the following humane opinion which he expressed during the arguments on this case. "I think it is a hard case that a man should "have counsel to defend him for a two-penny trespass, and his wit-"nesses examined upon oath; but if he steal, commit murder or "felony, nay, high treason, where life, estate, honour and all are "concerned, he shall neither have counsel nor his witnesses exa-"mined upon oath."—State Trials, x. 267.

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awakened the compassion of the public;[1] and Charles signified his wish that some expedient might be devised for the relief of the survivors. For some time the question was kept in suspense by the arts of those whose ambition feared that Danby, were he restored to liberty, might recover his former influence with the king, and supplant them in the cabinet. But his conduct with respect to the revelations of Oates had alienated both the royal brothers; nor would it have been decorous to give the administration of affairs to a man under impeachment by the House of Commons. The opposition gradually wore away: on the last day of term the earls of Danby and Powis, and the lords Arundel and Belasyse, were brought by writ of *habeas corpus* before the court of King's Bench; the judges severally delivered their opinions that "in justice and "conscience" the prisoners ought long ago to have been admitted to bail; and each was discharged, having previously entered into a recognizance of ten thousand pounds for himself, and produced four sureties of five thousand pounds each, that he would appear at the bar of the House of Lords in the next session of parliament, and not depart without the permission of that court.[2]

Feb. 12.

4. The power of the lord privy seal had been on the wane ever since the return of the duke of York. His successful efforts against the bill of exclusion deserved the gratitude of that prince; but the memory of the benefit had been obliterated by his subsequent con-

[1] From his death-bed he sent a letter to the king, in which he declared his attachment to the sovereign, his forgiveness of his accusers, and his innocence of the plot. See it in Somers' Tracts, viii. 121.

[2] Luttrell in State Trials, ix. 1019. Reresby, 177. Dalrymple, 73.

duct. Halifax had suggested and advocated the different expedients to deprive the duke of power, if he came to the throne, had advised his banishment, and had strenuously opposed his recall. But that which James resented still more keenly was his recent intrigue in favour of Monmouth, and his perseverance in the attempt to reconcile the father and son, even after the fresh disobedience and flight of the latter.[1] Hence, to fortify himself against the dislike of James, the wily statesman resolved to advise the calling of a parliament. It would be a popular measure at a moment when the national jealousy had been aroused by the new aggressions of the French king on the Spanish Netherlands;[2] and he represented to Charles that had he summoned a parliament on the discovery of the Rye-house plot, the loyalty of the people would have returned a House of Commons anxious to meet all his wishes; that it was not yet too late; for the flame still continued to burn, though it was insensibly wasting away; that the interval allowed by the triennial act had already expired; and that delay would disappoint the expectation of the people, disappointment might breed discontent, and discontent would lead to the revival of the popular party. But the very name of parliament sounded gratingly in the ears of a monarch who contrasted his present tranquillity with the disquiet, alarm, and exasperation which he had so often endured from that assembly; and instead of yielding to the reasons adduced by the minister, he accepted his very courtly offer, of sacrificing his own opinion to the pleasure of his sovereign,

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[1] Reresby, 174.

[2] His object was to extort from Spain the cession of the "dependencies" which he claimed.—See p. 3, note.

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and of making it his study to invent some excuse, which should satisfy the minds of the people.[1]

James at first appeared to take no part in the conduct of government; by degrees he was re-established in his former pre-eminence. His services in the office of lord high admiral had always been acknowledged; and the indolence, or incapacity, or corruption of those by whom he was succeeded had become a subject of

May 11. popular complaint. Charles dissolved the commission, and placed the whole business of the admiralty under the control of his brother; but, to shield him from the penalties enacted by the test act, exercised the office himself, signing all those papers to which the signature of the lord high admiral was required.[2] The approbation with which this arrangement was received en-

May 28. couraged him to go a step farther. He felt himself strong enough to set the test act at defiance; and introducing his brother into the council, bade him take his seat among the members. This proceeding, however, excited some murmurs. Even the Tories could not discover by what right he had thus of his own authority set aside an act of parliament.[3]

Hyde was deservedly the chief favourite of the duke. He had recently been created earl of Rochester, held the place of first commissioner of the treasury, and was destined in the opinion of the court to be raised to the office of lord high treasurer. To prevent the elevation of this dangerous competitor, Halifax charged him with negligence or embezzle-

August 24. ment; and after a long contest Rochester was re-

[1] Reresby, 176.

[2] "Every one was glad of this change, those in the late commission being utterly ignorant of their duty, to the greate damage of the navy."—Evelyn, iii. 115.

[3] Bulstrode, 377. Dalrymple, 50. Reresby, 181.

moved from the treasury board to the office of president of the council, from a post of considerable influence to one of higher honour but comparative insignificance. He was, in the language of Halifax, "kicked up stairs:" but the royal brothers had a more distinguished office for him in view. Desirous to place the army in Ireland under the immediate control of the crown, they resolved to appoint Rochester lord lieutenant of Ireland in the place of the duke of Ormond; but at the same time to separate the military command from the civil government, intrusting the latter only to the care of the new viceroy. Rochester accepted the offer, nor did Halifax object to an appointment which relieved him from the presence of a rival.[1]

About the same time an abortive attempt was made to obtain relief for the Catholics and dissenters. The persecution of the former, though it had abated in violence, did not end with the reign of Titus Oates, but had been kept alive by the proclamation of the king, and the circular of the archbishop in 1681. The number of those who during the last five or six years had been presented and convicted of recusancy amounted to some thousands. To have inflicted on all these the legal penalties would have demanded additional places of confinement; but those who were suffered to remain at large enjoyed their liberty only at the caprice or pleasure of their neighbours, paid for the benefit by fees and presents to the inferior officers, and were subject to restraints which made them feel as prisoners in their own houses. The dissenters, indeed, as long as the Whig leaders were triumphant, had been spared as useful and zealous

[1] Reresby, 185. Bulstrode, 385, 389. Burnet, ii. 432.

CHAP. A.D. 1684. auxiliaries; but, when victory inclined to the court, they became equally obnoxious to the orthodoxy of the conquerors, and were made to suffer the penalties enacted against recusants and the frequenters of conventicles. A measure of relief for both classes was now devised, or at least patronized by the duke of York, who, though he probably felt more for the sufferings of men of his own faith, sufferings chiefly inflicted on his own account, had constantly assured the dissenters of his abhorrence of all penal laws on matters of conscience. According to a preconcerted plan, Jeffreys, who had lately been admitted into the council, placed one morning on the table a huge mass of papers. They were, he said, rolls of the names of convicted recusants, which he had collected during the last circuit: the gaols were crowded with them to suffocation; it would be an act of mercy to restore these prisoners for conscience' sake to air and liberty, and on that account he recommended the subject to the royal consideration. A long pause ensued: the silence was broken by North, the lord keeper, who, aware of the real inclination of the king and his brother, sought to defeat the measure without giving offence. Among the recusants were, he observed, many nonconformists, men hostile by principle to the monarchy. If it were wished to show favour to any of the Catholic recusants, it might be done by particular pardons; but a general pardon would set at ease the king's enemies no less than his friends, and free a turbulent and seditious class of subjects from the wholesome restraint of the laws. When he had done, a second pause occurred; and the council passed to other business of the day; but the slumbering zeal of the bishops was awakened by this dangerous

attempt, and they were careful to inculcate in charges to the clergy the duty of presenting all the recusants in their respective parishes, whether they were Protestants or Catholics.[1] In one respect, however, the king followed his own inclination. He granted their lives to several Catholic priests under sentence of death for having taken orders in the church of Rome, and sent them out of the kingdom.[2] Dec. 29.

Halifax could not conceal from himself the rapid decline of his influence. He was still, indeed, consulted, but chiefly on matters connected with his office. Charles continued to speak to him with kindness, and gave him assurances of favour, but, as he significantly observed, "Though he knew what the "king said to *him*, he knew not what he might say to "others." His sole reliance was on the renewal of that intrigue which had been broken by the obstinacy of Monmouth; he again undertook to supplant the duke of York by reconciling the king and his son, a task the sole difficulty of which arose in his judgment not from disinclination on the part of the father, but from his unwillingness to embroil himself with the duke of York. With this view Halifax advocated the cause of the exile in private, and supported his hopes by letters and messages. Monmouth had retired to Brussels, whence, after some stay, he proceeded to Holland. In Brussels he was treated by De Grana, the Spanish governor, and in Holland by the prince of Orange, as if they were anxious to secure his friendship. He ate at their tables; their troops were ordered to receive him with military honours; and provision was carefully made for his wants and plea-

[1] Life of North, 235. Ralph, 831. MS. papers in my possession.

[2] Barillon, 8 Janv.

CHAP. I. A.D. 1684. July 5.

sures. The prince invited him to hunt at Diren; and at the Hague the princess paid the most marked attention to his mistress, the Lady Harriet Wentworth, only daughter and heiress of the earl of Cleveland. It was in vain that the duke of York complained to his daughter and her husband in no very measured terms of their conduct, and that Charles remonstrated in person to the foreign ambassadors in England, and by his envoys to the prince, the States, and the Spanish government. The usual reply was, that foreigners knew nothing of any real offence which Monmouth might have committed. It was enough for them that he was the king's son: the attention which they paid to him in this capacity grew out of the respect which they entertained for his father.[1] This answer, however, could not explain the obstinacy with which they persisted in the same conduct after repeated expostulations on the part of Charles: the truth was that they gave no credit to the assertion of his displeasure they had received private assurances that "he loved "Monmouth as his own eyes," and that he was gratified with those demonstrations of respect to him, which might serve to relieve the tedium of his banishment; and they persuaded themselves that, when the exile should be publicly restored to favour, they should reap the benefit by a change of counsels with respect to the foreign policy of England.[2] At length, Van Citters, the

Oct. 31.

[1] D'Avaux, iii. 52; iv. 8, 17, 28, 43, 59. Dalrymple, 56, 57. Bulstrode, 376, 377, 384, 390.

[2] "The Marquis de Grana told me, he knew from whence the "king's displeasure came; that it was the duke of York who was "the great enemy of the duke of Monmouth, whom the king loved "as his own eyes."—Bulstrode, 390. "Je scais que dans le fonds "du cœur il a toujours quelque amitié pour lui, et que le roi ne peut "être faché, que je lui aye fait de civilités."—The prince to Bentinck, Dalrymple, 62.

Dutch ambassador, at the request of Charles, repaired to the Hague; a new, but in all probability a counterfeit negotiation ensued; the prince appeared to submit to the pleasure of his uncle, and Monmouth departed under the pretence of returning to Brussels. But he soon disappeared, came privately to England, had a secret interview with his father, and went back to the Hague with a promise that within three months he should be publicly received at court, and the duke of York be banished in his turn into Flanders or Scotland.[1] With his visit to England, and his clandestine correspondence with Halifax, James was perfectly acquainted; but of the king's promise he probably knew nothing. Charles had requested him to go and hold a parliament in Scotland, to which he had assented, looking on the proposal as a fresh proof of the friendship and confidence of his brother.[2]

CHAP. I. A.D. 1684. Nov. 30.

Concurrent with this intrigue there existed another, which had for its object the disgrace of Halifax himself. In council he had advised the king to give to the English colonies in America local legislatures in imitation of that in the mother country; and in support of his argument had expatiated on the superiority of a representative over a despotic government. His words were noticed by his adversaries, who insinuated to the king, that the old leaven still fermented in his breast; that he still cherished anti-monarchical principles; and that he was a dangerous man to be trusted

D'Avaux, iv. 67. Dalrymple, 58, 74, 94. Welwood, 322. "Feb. 3. A letter from L. (Halifax) that my business was almost "as well as done, but must be so sudden as not to leave room for "39's (the duke's) party to counterplot; that it is probable he "would chuse Scotland rather than Flanders or this country, which "was all one to 29 (the king)."—Monmouth's diary in Welwood, 323.

[2] D'Avaux, iv. 71, 72, 88, 94. Fox, App. viii.

CHAP. I. A.D. 1684. with so important an office as that of the privy seal. Charles listened, or appeared to listen, to these suggestions; they were repeated by the duke of York, the duchess of Portsmouth, and Lord Sunderland; and an assurance was obtained that on the first fitting opportunity the obnoxious minister should be removed from office, if he did not previously retire of his own accord.[1] It is probable that the king equally dissembled with both parties. He suffered their intrigues, cajoled them with the hope of victory, promised to the duke the dismissal of Halifax, to Halifax the banishment of the duke; and thus, by abusing their credulity, purchased for himself a momentary relief from disquietude, and removed to a future and uncertain day the task of deciding between their conflicting claims and recriminations.

1685. Feb. 2. That day, however, he was not destined to see. On Monday, the second of February, after a feverish and restless night, he rose at an early hour. To his attendants he appeared drowsy and absent; his gait was unsteady, his speech embarrassed. About eight, as he walked across the room to his chair, he fell on the floor in a state of insensibility, with his features strongly convulsed. It fortuned that two physicians were within call, of whom one, who had practised as a surgeon, instantly opened a vein. The blood flowed freely; the most stimulating remedies were subsequently applied,[2] and the royal patient gradually re-

[1] Fox, App. vii.—ix.; and a letter of Barillon, 1 Janv.

[2] "On lui mit des poëles chaudes sur la tête, sans qu'il parût les "sentir . . . on lui a appliqué des vesicatoires à la tête, aux épaules, "aux bras, et aux jambes, on lui a donné des vomitifs en quantité, "qui ont fait quelque effet."—Barillon, 12, 14 Fév. "Le roi "estoist dans une chaise, un fer rouge sur la teste, les dents qu'on "lui tenoit ouvertes à force."—Recit de la mort du feu roi d'Angleterre, by a nun of Chaillot, who wrote it for the use of the com-

covered his consciousness, and the use of his speech. In the evening he suffered a relapse, but unexpectedly rallied the next morning, and improved so much in the course of that and the following day, that his physicians began to cherish the hope of his recovery. But in twenty-four hours the prospect changed. The king's strength was exhausted; doses of Jesuits' powder were administered without effect; he repeatedly fell into a state of stupor, and on the fourth evening it became evident that his dissolution was rapidly approaching. The impression which these changes made on the public mind furnishes a strong proof that Charles, with all his faults, was beloved by his subjects. The announcement of his malady spread a deep gloom over the metropolis: the report of his convalescence the next day was received by the citizens with expressions of joy, the ringing of bells, and numerous bonfires. When at last the danger became manifest, crowds hastened to the churches to solicit from heaven the health of their sovereign; and we are assured that repeatedly the service was interrupted by the sighs and sobs of the congregation. In the two royal chapels the ministers succeeded each other in rotation; and the prayers were continued every two hours till his death.[1]

CHAP. I. A.D. 1685. Feb. 3. Feb. 5.

After the first attack, the moment the king recovered his speech, he had asked for the queen, who came immediately, and continued to wait on him with the most affectionate attention, till the sight of his sufferings threw her into fits, and the physicians for-

munity from the mouths of James and his queen on 10 Sept. 1692, N.S.

[1] See MS. letters of Barillon (12, 14 Fév.), and a very interesting letter to Sir Robert Southwell from Mr. Fraser, one of the medical attendants, in the London Monthly Miscellany, p. 383.

CHAP. I. A.D. 1685.

bade her to leave her own apartment. Interest, as well as affection, prompted the duke of York to be present; nor did he ever quit the bedside of his brother unless it were for a few minutes to receive reports concerning the state of the city, and to give orders for the maintenance of tranquillity and the securing of his own succession. In like manner the archbishop of Canterbury, and the bishops of London, Durham, Ely, and Bath and Wells, were constantly in attendance, and one of them watched in his turn during the night in the king's chamber. Early on the Thursday morning Kenn, of Bath and Wells, seized a favourable moment to warn the monarch of his danger; and the air of resignation with which the announcement was received encouraged him to read the office appointed for the visitation of the sick. When he came to the rubric respecting confession, he paused—observed that it was a matter not of obligation, but of choice—and, receiving no answer, asked whether the king repented of his offences against the law of God. Charles replied in the affirmative, and the prelate, having pronounced the usual form of absolution, asked if he might proceed to the administration of the sacrament. The king appeared to take no notice of the question; but Kenn renewed the proposal with a louder voice, and Charles replied in a faint tone, that there was still time enough. The elements were, however, brought and placed on a table; and the question was repeatedly asked by the bishop, who could extort no other answer from the dying man but that "he would think of it."

Hitherto the duke of York, though aware of his brother's secret preference of the Catholic worship, and reminded of it both by his own wife at the request

of the queen, and by Barillon at the instance of the duchess of Portsmouth, had been silent on the subject of religion. It was not that, as the ambassador suspected, his attention was entirely absorbed by the necessity of providing for his own succession; but that he knew not what course to pursue in a matter of so much delicacy and danger. By law the reconciliation of any individual to the church of Rome was an act of high treason; no priest could be privately introduced to the king for that purpose, whilst the room was crowded with lords, bishops, and medical attendants;[1] and to remove them without a plausible reason could only provoke suspicion and inquiry. He had noticed and understood the evasive and reluctant language of his brother to Bishop Kenn in the morning; and probably indulged a hope that Charles by an open and spontaneous declaration would free him from responsibility. In this he was disappointed; and about six or seven in the evening, having motioned to the company to withdraw to the other end of the apartment, he knelt down by the pillow of the sick monarch, and asked if he might send for a Catholic priest. "For God's sake do!" was the king's reply; "but," he immediately added, "will it not expose you "to danger?" James replied, that he cared not for the danger; and, having despatched a trusty messenger in search of a priest, stated aloud that the king required all present to quit the apartment, with the exception of the earl of Bath, lord of the bed-chamber,

[1] Barillon tells us that the attendants in the room amounted to more than twenty (p. 92). Fraser that they were five bishops, and twenty-five lords and privy councillors (p. 384). He adds that every night "there sate in the room by him four doctors, four lords "of the council, three lords of the bed-chamber, three grooms of the "bed-chamber, one apothecary and one surgeon, besides several "inferior servants."—Ibid.

CHAP. I. A.D. 1685.

and the earl of Feversham, captain of the guard; an exception owing to this, that, as they were both Protestants, their attendance was likely to prevent, or to suppress, any sinister reports. In a short time Chiffinich conducted Hudleston—the same who had waited on the king at Moseley, after the battle of Worcester—through the queen's apartments to a private door on the right hand of the bed; and James introduced him to the king with these words: "Sir, "this worthy man once saved your life; he now "comes to save your soul." The priest threw himself on his knees, and offered to the dying monarch the aid of his ministry. To his inquiries Charles replied that it was his desire to die in the communion of the Roman Catholic church; that he heartily repented of all his sins, and in particular of having deferred his reconciliation to that hour; that he hoped for salvation from the merits of Christ his Saviour; that he pardoned all his enemies, asked pardon of all whom he had offended, and was in peace with all men; and that he purposed, if God should spare him, to prove the sincerity of his repentance by a thorough amendment of life. Hudleston, having received his confession, anointed him, administered the eucharist, and withdrew.[1] It was desirable that the object of his visit should be concealed; but the eyes of all

[1] Barillon makes several mistakes respecting Hudleston. He tells us that Hudleston was excepted out of the acts of parliament made against priests, and that the English monk being no great doctor, was on that account previously instructed by a Portuguese friar; whereas, the fact is that Hudleston was not excepted, nor did he require such exception, because he was not a recusant *convict*; and the object of his communication with the friar Bento de Lemos was to desire the latter to go to St. James's and bring the sacrament, whilst he himself prepared the king to receive it.—Hudles. p. 85.

had been fixed on the royal bed-chamber: the exclusion of the physicians and attendants during three-quarters of an hour awakened suspicion; and, as the furtive introduction and departure of Hudleston had been witnessed by the queen's attendants and chaplains, in a few days the real fact was whispered throughout the palace.[1]

CHAP. I. A.D. 1685.

During that night the king suffered at times the most distressing pain; but in the intervals between the paroxysms his mind was calm and collected, and he spoke of his approaching death with composure and resignation. The queen by a messenger excused her absence, and begged him to pardon her any offence which she might have given. "Alas, poor woman!" he exclaimed, "she beg my pardon? I beg hers with all "my heart: take back to her that answer." About two o'clock, looking on the duke, who was kneeling at the bedside, and kissing his hand, he called

[1] See Barillon's very circumstantial narrative in a letter to Louis XIV. two days afterwards (Dalrymple, App. 90). Hudleston's own account in "Short and Plain Way," 84, 91; James, Mem. i. 746; and Recit. de la Mort, &c., by the nun of Chaillot. Still the editor of Fraser's letter looks upon that document as conclusive evidence that Hudleston had no interview with the sick monarch, for two reasons; 1. Fraser does not mention it; 2. The bishops would not have allowed it. But both reasons are founded on gratuitous suppositions. 1. Why should it be supposed that Fraser arrived before Hudleston could have departed? Hudleston was sent for between seven and eight, Fraser went *some time the same night*. 2. If, however, Fraser came while Hudleston was engaged with the king, he would undoubtedly have been introduced to the other medical assistants, who were shut up in a small room, and ignorant of what was passing in the king's chamber; "dans un "cabinet, dont on ferma la porte."—Dalrym. 93. The bishops could not prevent it; for, at the request of the duke, they had withdrawn into the ante-chamber, where they could know nothing of the coming and going of Hudleston by the back stairs of the queen's apartment. "Chacun se regardoit dans l'anti-chambre, et personne ne se disoit "rien que des yeux, et à l'oreille. La présence de Milord Bath et "de Milord Feversham, qui sont protestans, a un peu rassuré les "evesques."—Dalrymple, ibid.

CHAP. I. A.D. 1685.

him the best of friends and brothers, desired him to forgive the harsh treatment which he had sometimes received, and prayed that God might grant him a long and prosperous reign. The name of Monmouth never passed his lips; but he sent for his other illegitimate sons, recommended them to James, and drawing each to him by the hand, successively gave them his blessing. At this sight one of the prelates observed that the king, the Lord's anointed, was the common father of all his subjects; every one present instantly threw himself on his knees, and Charles, being raised up, pronounced a blessing over them. He then expressed a hope to his brother that "poor Nelly (Gwyn) would "not be left to starve," recommended the duchess of Cleveland to his protection, and spoke warmly in favour of the duchess of Portsmouth,[1] who might, he feared, on account of her political conduct, incur the resentment of his successor. Thus the night passed away. About six in the morning he complained of pain in the side, accompanied with a difficulty of breathing: to remove which eight ounces of blood were taken from his arm. Three hours later he lost the faculty of speech, and about noon calmly expired.[2]

Feb. 6.

In person Charles was tall and well-proportioned, with a swarthy complexion, and features singularly austere and forbidding. He inherited from his father a sound and robust constitution, which in his youth he had impaired by indulgence; but afterwards laboured to restore by attention to diet and exercise. In health

[1] Il l'a fort recommendée à sa M. le duc de York, avant de mourir.—Baril. Fév. 16, MS.

[2] See the preceding references, and State Tracts, 280; Ellis (Letters, first series, iii. 333, and second series, iv. 74—80); and Evelyn (iii. 128—132). If the reader compare Burnet (ii. 454—460) with these authorities, he will observe how strangely truth and falsehood are mixed up together in the narrative of that prelate.

he was wont to purchase at exorbitant prices the secrets of empirics; but in sickness his good sense taught him to rely on the skill of his physicians.

The disposition of his mind presented an extraordinary contrast to the harsh and repulsive lines traced on his countenance. He was kind, familiar, communicative. He delighted in social converse, narrated with infinite humour;[1] and, as he was the first to seize and expose what might be ridiculous in others, so he never refused to join in the laugh when it was raised at his own expense. Parade and ceremony he held in aversion; to act the part of a king was to him a tiresome and odious task; and he would gladly burst from the trammels of official greatness, that he might escape to the ease and comfort of colloquial familiarity.

With talents, said to be of the highest order, he joined an insuperable antipathy to application; whence it happened that, to the scanty stock of knowledge which he had acquired in his youthful days, he made but few additions in a more advanced age. He sought amusement, and displayed taste in planting, gardening, and building; sometimes solicitude for his health led him to attend anatomical dissections, and sometimes a spirit of curiosity engaged him in chemical experiments: but the subject of his favourite study, if study it may be called, was naval architecture; in which he

[1] Temple, speaking of him on one occasion, says, "I never saw "him in better humour, nor ever knew a more agreeable conversa- "tion when he was so, and, where he was pleased to be familiar, "great quickness of conception, great pleasantness of wit, with "great variety of knowledge, more observation, and truer judgment "of men, than one would have imagined by so careless and easy a "manner as was natural to him in all he did and said. He desired "nothing but that he might be easy himself, and that everybody "else should be so" (ii. 419.)

CHAP. I. A.D. 1685.

had the credit, not only of being a proficient, but of having made some valuable improvements.

Impatient of trouble, and fearful of opposition, he looked upon the practice of dissimulation as the grand secret in the art of reigning. A king, he argued, was surrounded by men who made it their object, as it was their interest, to deceive him. His only protection consisted in the employment of the same weapon: it was necessary for him to deceive, that he might not be deceived. But Charles practised this doctrine to an extent which marred his own purpose. Experience taught others to disbelieve him as much as he disbelieved them. They distrusted his most solemn promises and asseverations; they paid no attention to his words, but studied his looks to ascertain his real meaning; and the result repeatedly proved that, in seeking to impose on others, he had in reality imposed on no one but himself.

From the commencement to the close of his reign he was the slave of women: but, though he tolerated their caprice, though he submitted to their intrigues, he was neither jealous nor fastidious, freely allowing to them that latitude of indulgence which he claimed to himself. His example in this respect exercised the most pernicious influence on the morals of the higher classes of his subjects. His court became a school of vice, in which the restraints of decency were laughed to scorn; and the distinctions which he lavished on his mistresses, with the bold front which he enabled them to put on their infamy, held out an encouragement to crime, and tended to sap in youthful breasts those principles of modesty which are the best guardians of female virtue. There may have been other periods of our history in which immorality prevailed,

but none in which it was practised with more ostentation, or brought with it less disgrace.

Of his pecuniary transactions with the king of France no Englishman can think without feelings of shame, or speak but in the language of reprobation. He may have attempted to justify them to his own conscience; he may have persuaded himself that he only took the money of another for doing that which it was his own duty to perform; but it is plain that, from the moment in which he became a pensioner, he ceased to be an independent agent. The possession or forfeiture of a considerable income must necessarily have had great weight in the deliberations of a needy and prodigal monarch. But this was not an age of public virtue. We shall look for it in vain either in the sovereign or in the patriots who opposed him. Both sacrificed at the shrine of the same idol—their personal interest.

It was the persuasion of Charles that his political adversaries sought the re-establishment of a commonwealth, theirs that *he* cherished designs subversive of the liberties of the subject. These jealousies, founded perhaps in prejudice more than in truth, produced their natural effect. They led each party to the adoption of measures which it was not easy to justify; they provoked on the one side the extortion of charters, forced constructions of law, and unwarrantable severity of judgment from the bench; and on the other the false and factious votes of the House of Commons, the arbitrary arrests of the individuals called abhorrers, and the disgraceful proceedings arising out of the imposture of Titus Oates. As far as regards despotic power, whatever might have been the inclination of Charles, he certainly was not the man to win it by force. To a prince of his indolent

CHAP. I. A.D. 1685.

disposition, and attached so much to his own ease, the acquisition would not appear worth the trouble and the risk of the attempt. We are told by one who knew him well, by Barillon, in a confidential despatch to Louis XIV., that "he viewed such plans with "reluctance; that he cared not much for additional "authority; and that in reality his wish was to live "at ease, and to improve his revenue."[1]

With respect to his religion, if we believe two noble writers who were much in his company, the marquess of Halifax and Sheffield duke of Buckingham, he was in fact a Deist; while others have represented him as a most accomplished hypocrite, who had embraced the Catholic worship before the restoration, and yet for five-and-twenty years held himself out to his subjects as an orthodox Protestant. Each of these assertions is incorrect. Charles never abandoned the belief of Christianity, nor was he ever reconciled to the church of Rome before the eve of his death. If we compare his proceedings in consequence of the secret treaty of 1670 with his subsequent conduct in relation to his brother, whom he sought, with the aid of the bishops, to recall within the pale of the establishment, and in relation to his nieces, whom he took from their father that they might be educated in the Protestant faith, and whom he married to Protestants that he might secure a succession of Protestant princes, we shall perhaps come to the conclusion that for the greater part of his reign he looked on religion as a political question, and cared little to which of the two churches he might belong. It is true that afterwards, in 1683, he gave to the subject more attentive deliberation;[2] yet even then he did no more than deliberate, and

[1] Dalrymple, App. 142. [2] James (Memoirs), i. 736.

never came to a decision till he learned from his physicians that in a few hours he would cease to live. CHAP. I. A.D. 1685

In conclusion it may be proper to remark that during his reign the arts improved, trade met with encouragement, and the wealth and comforts of the people increased. To this flourishing state of the nation we must attribute the acknowledged fact, that, whatever were the personal failings or vices of the king, he never forfeited the love of his subjects. Men are always ready to idolize the sovereign under whose sway they feel themselves happy.

Charles left no issue by his queen, Catherine of Portugal. Of his illegitimate children he acknowledged James duke of Monmouth, by Lucy Walters; Charlotte countess of Yarmouth, by Lady Shannon; Charles duke of Southampton, Henry duke of Grafton, George duke of Northumberland, and Charlotte countess of Lichfield, by the duchess of Cleveland; Charles duke of St. Albans, by Eleanor Gwyn; Charles duke of Richmond, by the duchess of Portsmouth; and Mary countess of Derwentwater, by Mary Davies.

CHAPTER II.

JAMES II.

KING'S SPEECH ON HIS ACCESSION—HE LEVIES DUTIES WITHOUT AUTHORITY—PRACTISES HIS RELIGION OPENLY—DEMANDS MONEY OF LOUIS — PARLIAMENT IN SCOTLAND — CORONATION OF KING AND QUEEN—TRIAL OF TITUS OATES—PARLIAMENT IN ENGLAND —INVASION BY ARGYLE — BY MONMOUTH — THEIR DEFEAT AND EXECUTION — CRUELTIES IN THE WEST — THE KING'S PROJECTS OPPOSED IN PARLIAMENT—PROROGATION—INTRIGUES OF THE MINISTERS—COUNTESS OF DORCHESTER—DISPENSING POWER—ECCLESIASTICAL COMMISSION—PUBLICATION OF TRACTS WRITTEN BY KING CHARLES—SCLATER, WALKER, MASSEY—REMOVAL OF ROCHESTER —WAR OF CONTROVERSY.

CHAP. II. A.D. 1685.

FROM the death-bed of his brother the new king withdrew to his closet, and, after a decent pause, proceeded to the apartment in which the council was assembled. He desired the members to retain the several charges which they held during the late reign, and declared it to be his wish to imitate the good and gracious sovereign whose loss they deplored. "I have "been reported," he continued, "a man for arbitrary "power; but that is not the only story which has "been made of me. I shall make it my endeavour to "preserve this government, both in church and state, "as it is now by law established. I know the prin-"ciples of the church of England are for monarchy, "and the members of it have shown themselves good "and loyal subjects: therefore I shall always take "care to defend and support it. I know too that the

"laws of England are sufficient to make the king as "great a monarch as I can wish; and, as I shall "never depart from the just rights and prerogatives "of the crown, so I shall never invade any man's "property. I have often heretofore ventured my life "in defence of the nation, and I shall still go as far as "any man in preserving it in all its just rights and "liberties." This speech was joyfully and gratefully received; James assented to the request that it might be published; and, as he had not committed it to paper, a copy was made on the spot by Finch the solicitor-general, and approved as correct by the king.[1] CHAP. II. A.D. 1685.

The moment the council was dissolved, the lords proclaimed the new sovereign at the gate of Whitehall, at Temple Bar, and at the Royal Exchange. In imitation of the precedent set at the accession of James I., wine was distributed among the spectators to drink the king's health, and the crowd, after the usual acclamations, peaceably dispersed. During his brother's sickness James had ordered the ports to be closed, and had stationed strong bodies of troops in different parts of the city. But the result proved that these precautions were unnecessary. Not a murmur was heard; no attempt at riot or resistance was made; never did prince succeed more tranquilly to the throne.[2]

The king's speech gave universal satisfaction, and the address of the bishops, presented the next day, served to confirm this favourable impression. He had anticipated all their wishes, had promised all that they could ask. They would treasure his words in their hearts, and make it their prayer that God would Feb. 7.

[1] James, ii. 3. Fox, App. 16. Kennet, 427.
[2] Fox, App. 16. Barillon, 16 Feb. and 19.

CHAP. II. A.D. 1685.

render his reign happy and suitable to these glorious beginnings, and afterwards crown him with glory in the world to come. The same sentiments were repeated by the two universities, and generally echoed from the pulpits :—so little did the clergy foresee that in less than three years the time would come, when *they* would have to reproach him with the breach of his promise, and *he* would charge them with apostasy from their principles.[1]

The first question which claimed the attention of the new monarch was the state of the revenue. The parliamentary grant of one-half of the excise, and of the whole of the customs, expired at the death of his brother ;[2] was he then to content himself with a mutilated income, confessedly inadequate to the wants of government, or to continue the former duties till the meeting of parliament, by his own authority, and contrary to law ? He chose the latter part of the alternative ; but at the same time, to gratify the wishes of the people, he resolved to call a parliament, and, that he might claim the whole merit, to call it before the request should be urged by any public body, or the advice be suggested by the privy council. A parliament was according summoned to meet on the 19th of May, and a proclamation issued, which, alleging state necessity as the cause, ordered the usual duties to be levied on merchandise, till parliament should have settled the revenue of the crown. That

Feb. 9.

[1] Clar. Corresp. ii. App. 471. Gazette, 2018.

[2] One portion of the duties, the additional excise, amounting to five hundred and fifty thousand pounds a year, might, according to the act of parliament, be farmed for the space of three years, and remain in force till the expiration of that term. James was careful to have the lease renewed and signed by his brother the day before his death.—Gazette, 2009. Fox, App. 39. This portion therefore he could levy by law.

such a measure was illegal, did not admit of doubt; nor were the enemies of James slow to point to it as a proof of the meaning which he attached to his promise of "never invading any man's property."[1] But the nation cheerfully acquiesced. The necessity of levying the duties was considered as a satisfactory apology; and the very language of the proclamation implied an acknowledgment of the constitutional maxim that money could not be lawfully raised without the authority of parliament. The barristers of the Middle Temple presented to the king an address of thanks; the great companies of merchants trading to the Baltic, to the East Indies, to Africa, and to Maryland, Hudson's Bay, and Jamaica, assured him of their ready compliance, and imposts contrary to law, which in the reign of Charles I. would have thrown the whole nation into commotion, were submitted to without opposition or complaint.[2]

Of the ministers of the late king, the only man who held (and for his undeviating devotion to the interests

[1] Some thought that the duties should be paid into the exchequer, and remain there, to be disposed of by parliament, others that no money, but bonds for subsequent payment should be taken. Both expedients were contrary to law. As the duties were not in existence, neither the money nor bonds for money could be legally required.

[2] Lord Lonsdale, Mem. 4. Fox, App. 18, 39. Burnet, iii. 9. Kennet, iii. 427. Ralph, 847. Barillon, 22 Fév. Dalrymple has published but few extracts from the despatches of Barillon after the death of Charles II. Mr. Fox procured copies of those which were written during the reign of James, but the appendix to his history, as well as the history itself, is confined to the transactions of a few months. Mr. Mazure had access to all the documents in the Dépôt des affaires étrangères, but he contented himself with embodying the information which he derived from them in his valuable work, Histoire de la Révolution de 1688. In the following pages, whenever I annex the date of the letter, the reader will understand that I refer to the unpublished letters. The same may be observed of the references to the despatches of D'Avaux and Bonrepaus. The dates are according to the new style.

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of the duke he deserved to hold) a high place in the favour of James, was the earl of Rochester. He had not, hitherto, taken possession of his government of Ireland, and the death of Charles opened a more brilliant prospect to his ambition. James did not wait to be asked, but without previous solicitation placed the staff of lord high treasurer in the hands of his friend. The near relationship of Rochester to the first duchess of York, joined to his more recent services, justified the partiality of the king; and the avowed attachment of the new treasurer to the interests of the church, in which point he professed to inherit the sentiments of his father Clarendon, assured him of the support of all who sought the welfare of the establishment.[1]

Lord Godolphin, who, by the elevation of Rochester, lost his place of first commissioner of the treasury, had little claim to the gratitude of the new king. But James had learned to appreciate his value from the services which he had rendered to the last monarch, and appointed him chamberlain to the queen, whose esteem he soon acquired, and whose confidence he repaid by a long and devoted attachment. Even after the revolution, when he had attained to the highest honours under the new dynasty, Godolphin continued to maintain a clandestine correspondence with Maria d'Este till his death.[2]

Halifax had more reason to dread the royal resentment; yet, when he attempted to apologize, James interrupted him with this gracious declaration, that of his former conduct he remembered nothing except his opposition to the bill of exclusion. But the courtier

[1] James, ii. 8, 63. Fox, App. 16, 18, 30, 34, 50. Burnet, iii 8.
[2] Fox, App. 34, 50. Burnet, iii. 8. note.

soon discovered that he possessed no real influence, and that the arts which he had so lately practised might be turned against himself. He was compelled to accept the higher but empty honour of lord president, that he might quit the more lucrative office of privy seal to the earl of Clarendon, Rochester's brother.[1]

But of all, the earl of Sunderland had sinned the most deeply. After his first offences had been forgiven, after he had sworn inviolable fidelity to the interests of the duke, he had recently been detected in a new intrigue with the duchess of Portsmouth, having for its object the removal of James from the court. But Sunderland possessed a wonderful facility of disarming the resentment, and worming himself into the confidence, of those whom he had offended. He observed to the king that now, if he were retained in office, he could have no hope of favour or preferment but from the merit of his services; he converted the enmity of the two brothers Clarendon and Rochester into friendship, by persuading them that he had privately advocated their interest with the sovereign; he procured through Barillon a strong recommendation in his favour from the king of France; and, to secure the good-will of the Catholics, he held himself out to them as the warm and uncompromising champion of toleration in the cabinet. James yielded to his arguments and entreaties; Sunderland was retained in his former office of secretary; and it soon appeared that he, Rochester, and Godolphin were the only ministers possessing the confidence of the monarch.[2]

[1] Burnet, iii. 38. Ibid. iii. 7.

[2] "Le conseil du cabinet ne se tient que pour la forme. Le roi

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But Sunderland did not confine his ambition to the secretaryship; he aspired to the staff now held by Rochester; and, to supplant his rival, was careful to propose in council measures in behalf of the Catholics, which he knew that James would secretly approve, and that Rochester, in accordance with his avowed principles, would certainly oppose. For greater security he connected himself with three Catholics, from whose friendship he hoped to derive considerable advantage,—Richard Talbot, an Irish gentleman, Henry Jermyn, nephew to the late earl of St. Albans, and Edward Petre, a Jesuit, and probably a near relation of the Lord Petre who died in the Tower.[1] Talbot and Jermyn had been faithful and devoted servants to the duke in all the vicissitudes of his fortune, and Petre had long been distinguished by him with particular marks of friendship. These four, if we may believe the king himself, met in private, talked over their services and pretensions, and engaged to aid each other in the acquisition of the objects of their ambition,—of the treasuryship for Sunderland, of a peerage and the government of Ireland, subject to a douceur to Sunderland, for Talbot, of a peerage and the captaincy of the horse-guards for Jermyn, and of a cardinal's hat for Petre. In pursuit of the same object Sunderland established, with the consent of the king, a secret board to watch over the interests of the Catholics, which should meet at his office, or at the lodgings of Chiffinich, page of the back-stairs. The first members

"d'A. confére tous les jours avec mylord Rochester, et Sunderland, "et mylord Godolphin, ensemble et separément. C'est avec eux "que les resolutions se prennent."—Barillon, 22 Fév.

[1] Ex familia prænobili primogenitus.—Oliver's Collection, 149 Barillon must then have erred when he called him le frere du feu mylord Piters.—Lettre $\frac{16}{26}$ Nov. 1685.

were the lords Arundell and Belasyse, Jermyn, who was created Lord Dover, and Talbot, who obtained the command of a regiment in Ireland; to whom Father Petre was soon added, and subsequently the earls of Powis and Castlemaine. Of these Powis, Arundell, and Belasyse were considered as the more moderate in their views: the others advocated bolder measures, and were supported by the policy of Sunderland.[1]

Feb. 12

With this board James debated a question of considerable delicacy and importance, respecting the practice of his religion. Of his attachment to the church of Rome, after the sacrifices which he had made, every man must have been convinced; and the question now was whether, after his accession to the throne, he ought to be content with the clandestine exercise of the Catholic worship, or openly to attend a form of religious service still prohibited by law. The latter accorded better with that hatred of dissimulation which was believed to mark his character, and was moreover recommended to his choice by the reflection, that if he were ever to make a public profession of his religion, he might do it with less inconvenience at the beginning than at any subsequent period of his reign. As early as the second Sunday after his brother's death, in opposition to the advice of the council, he ordered the folding-doors of the queen's chapel to be thrown open, that his presence at mass might be

[1] James, ii. 63, 64, 74, 76, 77. Fox, App. 17, 25, 48, 69. This account, as far as it imputes ambitious views to Petre, is not easily to be reconciled with the letters of his brethren at that period (see extracts in Oliver's Collectanea, 150), nor with the testimony of the king himself, in a letter to the pontiff (nec quenquam esse credimus cujus animus ab omni ambitu magis abhorret.—Dodd, iii. 513). Yet it rests on the express assertion of James himself, in his private memoirs, who must either have drawn the inference from facts within his own knowledge, or have received information of which he was previously ignorant.

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noticed by the attendants in the antechamber. This circumstance revealed nothing which was previously unknown; yet the boldness with which the king displayed his contempt of the law alarmed the zeal of the bishop and the clergy of London, and the pulpits began to resound with declamations against popery, and predictions of danger to Protestantism. James in his turn grew alarmed: he sent for all the prelates in town: he complained of such treatment as dangerous to the state, and unprovoked on his part; and he renewed his promise of protection to the church, but with a significant hint, that he should think himself absolved from his word, the moment the church should swerve from its engagements to him. The conclusion was that the bishops undertook to restrain within due limits the zeal and intemperance of the preachers.[1]

In a few days the murmurs which had been excited died away; but they were quickly revived by the impatience or the imprudence of the king. He could see no reason why difference of religion should make any difference in the respect usually paid to the sovereign; and therefore announced to the council his intention of going with the usual state to the queen's chapel on particular occasions, and his expectation that the ministers and officers of the household would accompany him as far as the door, and attend on him there on his return. Sunderland offered no objection, and Godolphin by his office of chamberlain was compelled to wait on the queen; but Rochester, aware that his reputation for orthodoxy was at stake, absolutely refused to be present without an express order from the king, and was with difficulty persuaded to

April 15.

[1] Fox, App. 37, 44. Barillon, 22 Fév., 12 Mar. See Note (A)

accept of the royal permission to spend a short time in the country.[1] The next day, being Maundy Thursday, James, accompanied by his guards and the gentlemen pensioners, proceeded to the chapel and received the sacrament, and on Easter Sunday he was in the like manner attended by the knights of the garter in their collars, and by a great number of the nobility, both as he went, and as he returned to his own apartment.[2] The proceeding itself proved nothing more than his attachment to the parade of royalty; but in the minds of many it excited considerable uneasiness: men thought that they discovered in it a design of restoring step by step the public celebration of the Catholic worship, and they exhorted each other to watch with jealousy the subsequent conduct of the new monarch, and to hold themselves in readiness to defend on the first aggression the rights of the established church.[3]

April 16.

April 19.

There happened at the same time another transaction which served to confirm this impression. The reader will recollect the attempt made in the last year to procure the liberation of the Catholics and dissenters detained in prison under the laws of recusancy. In the week before the death of Charles, the question had been brought a second time under the notice of the

[1] Fox, App. 46.

[2] It was the custom for the lord who bore the sword to enter the chapel with the king when the latter communicated, and on that account Lord Powis, a Catholic, carried it on the first day; on the second it was borne by the duke of Somerset, a Protestant, who stopped, according to custom, at the door. But the dukes of Norfolk, Grafton, Richmond, and Northumberland, and many other noblemen, entered and accompanied the king as far as the gallery. —Barillon, 26 et 30 Avril. Fox, App. 47.

[3] Les Protestants zélés trouvent fort à redire à cette nouvelle demarche. Ils s'imaginent que l'intention de S. M. B. est d'accoutoumer le monde peu à peu à voir la religion catholique dans l'eclat où elle doit être ici, étant la religion du prince.—Barillon, 26 Avril. Fox, ibid.

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council, and a second time postponed, that the opinion of the attorney-general might be obtained. But James was not to be checked by the cautious motives which swayed the mind of his brother: he gave it in charge to the judges to discourage prosecutions on matters of religion, and ordered by proclamation the discharge of all persons confined for the refusal of the oaths of allegiance and supremacy. In consequence the dissenters enjoyed a respite from the persecution which they suffered under the Conventicle Act; and Catholics to the amount of some thousands, Quakers to the amount of twelve hundred, were liberated from confinement.[1]

It has been of late a subject of dispute, whether at this period of his reign the king had formed an intention of restoring the Catholic religion to its ancient ascendancy, by making it the religion of the state, or merely sought to relieve its professors from the galling restrictions and barbarous punishments to which they were still subject by law. To me, from his frequent and confidential communications with Barillon, it seems evident that he limited his views to the accomplishment of two objects, which he called liberty of conscience and freedom of worship, and which, had he been successful, would have benefited, not the Catholics only, but every class of religionists. By liberty of conscience, he understood the removal of religious tests as qualifications for office; by freedom of worship, the abolition of those penal and sanguinary

[1] The prosecution of Baxter did not form an exception. He was charged with having preached a seditious sermon, not with any offence under the Conventicle Act. The proclamation and the number of Quakers liberated may be seen in Sewell, ii. 451, 454, 456, 478, edit. 1795. About two hundred of the latter were still detained prisoners for the nonpayment of tithes.

inflictions which had been enacted for the purpose of extinguishing every form of religious service except that of the established church. It is not pretended that he was led to the attempt by any enlightened views of toleration—though he never hesitated to condemn the persecution of the dissenters—neither was he principally actuated by a vehement zeal for proselytism—a zeal which frequently animates converts to a new religion;—there existed a much more powerful motive than either of these,—his own security; for he had persuaded himself that his throne must necessarily rest on a very precarious foundation, as long as the faith which he professed should form a disqualification for holding office in the state, and the worship which he practised should continue to be prohibited under the penalty of death. To Barillon, acquainted with the fears, and jealousies, and prejudices which agitated the public mind, neither of these objects seemed to be of easy attainment. But the more sanguine disposition of James made light of such difficulties: he rested his hopes of success on the known loyalty of the church of England: and he suffered himself to be deluded by the professions of attachment to the crown, and of passive obedience to the monarch, which formed the burthen of the addresses from the clergy and universities, ignorant, it would appear, of that which every page of history might have taught him, that great bodies of men will never permit themselves to be swayed by abstract principles, when the actual practice of those principles is opposed to their prepossessions and their interests.[1]

[1] See Fox, App. 19, 33, 45, 69, 104, 106, 107; Barillon, 22 Fév., 12 Mars, 28 Avril. With respect to the contested passage in Barillon's letter of July 16, which in Dalrymple is printed "tant

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With respect to foreign nations, it was to be expected that the new monarch would adhere to that pacific policy which he had advised in the reign of his late brother. He came, indeed, to the throne at a period of continental tranquillity, but tranquillity of that dubious and ill-defined description which is usually the precursor of a storm. Though the conflicting claims which had grown out of the peace of Nimeguen had been suspended by a truce for eighteen years, concluded at Ratisbon in the preceding month of August, yet the jealousies and heartburnings kindled by those claims had never ceased to exist. Spain and Holland sought by union between themselves, and by new confederacies with other states, to form a counterpoise to the enormous power of France, and men looked forward with fear to the approaching death of the old king of Spain, as the signal of a new and more sanguinary contest for the succession to his extensive dominions. Under these circumstances Louis deemed it prudent to secure the good-will of the new king of England. He had been negligent in the discharge of his pecuniary obligations to Charles; but the moment he heard of the decease of that monarch, he despatched the sum of five hundred thousand livres to his ambassador, to be placed at the disposal of James. This timely act of friendship was acknowledged with gratitude by James; but Louis soon discovered that the new king was not of that easy, indolent, and complaisant disposition, which had dis-

"qu'elle ne sera pleinment établie" (174), and in Fox "*plus* plein-"ment" (107), I observe that the reading in Dalrymple is correct; and that by the "establishment of religion" Barillon understands the liberty of opening chapels for public worship, and of practising that worship without penalty or disqualification. When he wrote the letter the Catholic worship was proscribed by law.

tinguished his late brother. James, though aware of the offence which it would give, had already summoned a parliament; Louis dissembled his displeasure; but his jealousy was already awakened, and he ordered Barillon to keep secure possession of the money. The French pension to Charles had not, however, been completely discharged at the death of that prince; and James, in quality of heir to his brother, claimed the arrear as a debt. The claim was allowed; still the English king was not satisfied; he demanded an annual subsidy for three years, the same in amount as had been paid to the last monarch. Louis was, or affected to be, surprised. He could not understand why he should be called upon for money without any equivalent in return; nor how his English brother could be in want of pecuniary assistance, now that the parliament (as the reader will learn in a few pages) had voted for him a competent revenue. Barillon, however, did not yield; and the earnestness and importunity with which he persisted in urging the claims of James provoke a suspicion that he must have had a personal interest in the success of the application. He employed every argument and artifice which his knowledge of the character of Louis could suggest. Some reasons he put into the mouth of James, some he pretended to have received from the English ministers, others he presumed to suggest as proceeding from his own attachment to the interest of his sovereign. He exaggerated the wants of the new king, and the dangers which threatened him; he painted in the most favourable colours his designs for the restoration of the Catholic worship, and his devotion to the person of the French monarch; he appealed to the pride, the pity, the piety of Louis;

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remonstrated against his parsimony; persevered in defiance of his displeasure, and even ventured to disobey his commands; till by dint of reiteration he had procured, through successive remittances, money to the amount of two million livres. Still, out of this large sum, he could not obtain permission to part with a crown to James, unless he should receive a written order from Paris. It was in vain that the ambassador continued to reason and solicit. Louis was inexorable. He would only consent that the money should be kept in safety as a fund for the aid of the king, if circumstances should afterwards compel him to dissolve the parliament, and to defend himself by arms against his rebellious subjects.[1]

From the despatches of Barillon (and it is in them alone that the history of this negotiation is to be found), many readers have been induced to conclude that, on this occasion, James disgraced the majesty of the English crown by his sycophantic adulation of Louis, by his apology for having called together the parliament without the previous advice and consent of the French monarch, and by his abject supplications to that prince for money and protection. Now, it must be confessed, that the statements of the ambassador, if we believe them to be literally correct, supply abundant grounds for such an opinion. But we have no other guarantee for their truth than the suspicious pen of Barillon, who throughout the correspondence with his sovereign appears to act the part, not of an indifferent narrator, but of an advocate pleading the cause of his client, and who therefore puts into the

[1] See letters of April 16, May 17, June 1, July 16. S'il a de mauvais desseins, je ne veux pas contribuer à le mettre en état de s'opposer à tout ce qui peut être de ma satisfaction.—Lettre de Louis, June 1, N.S.

mouth of James, not the language actually employed by that prince, but such language as might, by flattering the vanity and policy, obtain the good-will and consent of Louis. The money which the English king obtained through him did not exceed eight hundred thousand livres (about sixty thousand pounds), a sum barely sufficient to cover his acknowledged claims. There the negotiation closed, and nothing more was asked, or received by him from Louis under the name of pension, or of pecuniary assistance, during the whole course of his reign.[1]

The king had also summoned a parliament in Scotland, where during the last years of the reign of Charles, religious persecution had assumed a new feature. The theological errors of the Cameronians were merged in their political offences: formerly they had been treated as obdurate and incorrigible sectarists; now, they were regarded in the light of men professing and practising assassination and rebellion. For the first of these charges some ground had been afforded by their express or tacit approbation of the murder of Archbishop Sharp; and the second was fully proved by the renunciation of the king's right and authority in their declaration at Sanquhar. The lords of the council, though they must have been aware that the crimes which they punished had been provoked by their own unjustifiable severity, deemed themselves bound, as depositaries of the royal authority, perhaps also by the danger to which they were exposed, to suppress or extirpate this indomitable sect; and for that purpose they had recourse to the usual inflictions of fines, and imprisonment, and torture, and

[1] Fox, App. July 16, 26, Oct. 25, Dec. 6, and the unpublished letter of Nov. 8.

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death. Many of their victims gladly exchanged the horrors of a close and loathsome confinement for the service of the planters in Barbadoes; some suffered on the gallows by the hand of the executioner, and others were shot by order of a military commission. The writers of the party have drawn a veil over the weakness of those who concealed or abjured their principles; while they have ostentatiously recorded the names of the principal confessors and martyrs, of those whose constancy refused the offer of liberty when it was to be purchased by renouncing the declaration, or who preferred to forfeit their lives rather than pollute their consciences by uttering the words "God bless the "king." At first the accession of James offered the prospect of some alleviation to the miseries of these infatuated people. When he was proclaimed, they were, indeed, admonished, in opposition to their favourite doctrine, that "he was the only righteous king "and sovereign over all persons and in all causes, as "holding his imperial crown from God alone;" but this was followed by an amnesty to all persons who would consent to take the test, with the exception of the itinerant preachers, of their protectors among the higher classes, and of the murderers of Archbishop Sharp, and of the minister of Cairsphairn. If many accepted, yet many refused this benefit; and the rumour of an approaching invasion, by the fugitive marquess of Argyle, added to the severity of the council. The prosecutions were continued in the capital; and Graham of Claverhouse displayed his zeal for loyalty and episcopacy by hunting down the conventiclers in the fields, and by putting the most obstinate or most obnoxious of his prisoners to death.[1]

Feb. 10.

[1] Wodrow, ii. 397—507.

James had summoned the Scottish parliament to meet on an early day. He expected much from the attachment of those friends whom he had secured during his former residence in Edinburgh, and from the hopes of others, who knew that the royal favour was the shortest road to wealth and authority; and he entertained the expectation that the example of the Scots would prove a useful stimulus to the more doubtful obsequiousness of the English parliament. This object was honestly avowed in his public letter; and the avowal, being taken as a compliment by the estates, provoked from their gratitude a declaration of abhorrence of "all principles and positions contrary or "derogatory to the king's sacred, supreme, sovereign, "and absolute power and authority." He asked for the revenue which had been enjoyed by his brother: they annexed the excise to the crown of Scotland for ever, and made him "a dutiful offer" of two hundred and sixty thousand pounds yearly, during his life: he called on them to support the established church (that church, be it remembered, was not presbyterian but episcopalian), and they passed a most barbarous act, not only ratifying all former statutes for the security and liberty of the true church of God, but also imposing the penalty of death on the preachers at the home, and both preachers and hearers at the field, conventicles, and compelling the inhabitants of any parish, where a minister should be murdered, to provide for the support of his family according to the discretion of the privy council; he had exhorted them to put down rebels and assassins; and they enacted that all persons should take the test under the penalty of an arbitrary fine; made it treason to give or take the two covenants, and to own, or refuse to disown,

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the apologetic declaration; ordered that in the processes then depending before the justiciary, in cases of treason, or conventicles, or church irregularities, every person refusing to give an answer should be punished as if he were guilty of the crime respecting which he was interrogated; and lastly they passed an act of security and indemnity in favour of the privy council, the secret committee, the judges, the military officers, and all commissioners hitherto employed in the prosecution of those who are denominated rebels and assassins. There can be no doubt that in these enactments there was much to reprehend, much that trenched on the rights of the subject, that opened a way to barbarous punishments, and gave encouragement to oppression on the part of the council: in apology it may be observed that they took place at a time when either a hostile armament was at sea, or a civil war was actually raging in the interior of the kingdom.[1]

In England the convocation of a parliament (no parliament had been called during the last five years) was hailed with joy by all parties. It was followed by a proclamation announcing that the king intended to be crowned on St. George's day, a measure which, though it had been suggested to him by a motive of personal interest, gave an additional impulse to his popularity. It had been for centuries a prevalent opinion that a new king, before his coronation, was sovereign only in a very qualified sense; and that he must be an anointed king to come into full and indisputable possession of all the prerogatives of royalty. Hence, aware of the antipathy of the majority of his subjects to the religion which he had just embraced,

[1] Scot. Stat. 1685, c. viii. Gazette, 2032.

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he was anxious to provide for the stability of his throne by the reception of this rite. But how could *he*, with the zeal of a convert to the Roman Catholic creed, submit to receive a religious consecration from the prelates of a hostile church? or how could he promise upon oath to keep and preserve the legal rights of those prelates and of that hostile church? To many of his co-religionists this seemed an insurmountable difficulty; but he found casuists willing to pronounce in his favour, and to furnish him with a precedent in the conduct of Sigismund, prince of Sweden, who, though a Catholic, had received the rite of consecration from the Lutheran archbishop of Upsal. On the feast of St. George, the king and queen were crowned by the hands of Archbishop Sancroft in Westminster Abbey, after the usual form, but with the omission of the communion service and a few minor ceremonies, which were confessedly of modern origin, and had been introduced since the Reformation.[1] This act of condescension on his part gave general satisfaction; yet many looked with suspicion on the facility with which he had sworn without any qualification to keep and preserve the rights of the church; and his enemies afterwards charged him with deliberate perjury, as if he had taken the oath with a fixed resolution of violating it afterwards. But it is hardly credible that, at the very time, when he felt so anxious a desire to win the good-will of the great body of his subjects, he should contemplate an act of perjury which must inevitably sever their affection from him for ever. More probably he had persuaded himself, that no event would subsequently

[1] Barillon, 8, 19, 22 Mars. 19 Avril, 7 Mai. Mazure, i. 429. Life of James, ii. 10.

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happen to bring the rights claimed by the church into direct collision with those rights which he, in quality of sovereign, claimed for himself, as rights indefeasibly inherent in the crown.

During the short interval between the coronation and the opening of parliament, the public mind was occupied with the trial and punishment of Titus Oates, who had distinguished himself in the last reign, as arch-informer with respect to the pretended popish plot. In Hilary term he had pleaded not guilty to two indictments for perjury; but the unexpected death of King Charles caused the trials to be postponed to the next term; and now they came on accordingly in the court of King's Bench. He was convicted on both indictments,—1. of perjury, when he swore that on the 24th of April, 1678, he had been present at a consult of Jesuits in London, the object of which consult was to devise measures for the murder of the king; and 2. when he swore that in the months of August and September of the same year he had been present, and had witnessed several treasonable acts committed by Ireland the Jesuit. His guilt was proved beyond the possibility of doubt; and the court, in passing judgment, lamented that he could not be made to suffer death in atonement for the innocent blood which his perjuries had caused to be shed. He was condemned to pay a fine of one thousand marks on each indictment, to be stript of his canonical habit, to be twice publicly whipped, once from Aldgate to Newgate, and two days later from Newgate to Tyburn, and to stand every year of his life five times in the pillory. By some he is said to have suffered his punishment in silence, and with a resolution which was thought supernatural; by others

that his cries and shrieks harrowed beyond endurance the feelings of the spectators. There still existed many, especially among the more fanatical sectaries, who clung to a belief in the popish plot, maintaining that the disclosures of Oates, though perhaps erroneous in a few circumstances of time and place, were substantially true. These, revering him as a martyr to the Protestant cause, attributed the prosecution to the king's antipathy to the reformed creed. But such insinuations met with little credence. The popularity of the monarch was too firmly established to be shaken through the legal punishment of a man convicted of the most atrocious crimes.[1]

The parliament met on the appointed day, and James, as soon as the necessary forms had been complied with, addressed the two houses in a short speech which he read leisurely and distinctly from the throne. He had made, he said, a declaration to the privy council on the day of his accession; he now repeated it in parliament, and in the very same words, to show that it was not a hasty promise suddenly called forth by the excitement of the moment, but a fixed purpose, the result of long and mature deliberation. He then stated his expectation, that they would settle on him for life the revenue which had been enjoyed by his brother. Their own judgment would satisfy them that in this he asked for nothing which was not re-

May 22.

[1] State Trials, x. 1070—1330. In the first parliament after the flight of James, Oates brought two writs of error before the House of Lords for the reversal of these judgments. He was disappointed. The house instead of reversing, confirmed both anew, but petitioned the king to remit the remaining part of the punishment. This was granted.—Lords' Journals, xiv. 219, 228, 236. Oates afterwards obtained from the new monarch a pension of five pounds per week in lieu of the pension, amounting to eight hundred and forty-six pounds per annum, granted to him by Charles II.

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quired for the benefit of trade, the support of the navy, the exigencies of the crown, and the well-being of government, which ought to stand on a sure and stable foundation. To some, perhaps, it might appear more politic to dole out the revenue to him in successive portions, and thus place him under the necessity of calling frequent parliaments. But such persons knew him not: the best way to engage him to meet them often, would be always to use him well. In conclusion, he informed them that a body of rebels had lately landed in Scotland under the conduct of Argyle, who had published two declarations charging him with usurpation and tyranny. It would be his care that the invaders should meet with their reward, it would be theirs to support his government, and establish his revenue.[1]

By later writers this speech has been subjected to a most rigorous ordeal. It has been considered as an open avowal of the king's contempt for the laws, as a threat that he was prepared to assume arbitrary power, and as a bold attempt to intimidate and silence the advocates of a free constitution. By those who were present, it was heard and understood with very different feelings. They did not conceal their satisfaction. At the close of each period their shouts rent the air; and subsequently both houses waited in a body on the king to express their loyalty and gratitude.[2]

They began by assuring him of their support against the treasonable projects of Argyle, and by settling the revenue in the manner which he had wished. As he made no claim in virtue of the prerogative, so they abstained from any complaint of his having levied the

[1] L. Journ. xiv. 9.

[2] Evelyn, iii. 159.

duties without authority. He told them that the despatch with which they passed the bill was as grateful to him as the bill itself; but in addition circumstances required an immediate aid to provide for the equipment of the navy, the discharge of his brother's debts, and the extraordinary expenses to which he was driven by the rebellion. To James the charge of extravagance had never been objected; he was rather parsimonious in his habits, and had already reformed the extravagance and manners of the court. His wishes were gratified even beyond his demand; and additional duties were laid on wines, vinegar, tobacco, and sugar for eight, and on foreign linens for five, years.[1]

In both houses there must have been many who in the preceding parliaments had distinguished themselves by their opposition to the government, and had voted for the exclusion of James from the throne. But these, whatever they might think, had the prudence to conceal their sentiments. The times were altered; the principles of the Whigs had grown unfashionable; and to come forward in their defence was doubly dangerous at a time when the standard of rebellion was already unfurled in Scotland, and a hostile expedition under the duke of Monmouth was known to be at sea, steering for the shores of England. Still there were not wanting questions of considerable interest, under the cover of which it was possible to

[1] L. Journ. xiv. 21, 44, 65. "They gave upon the tobacco and "sugars three pence, when Sr. Dudley North, the commissioner of "the customes and manager ffor the king, asked but three half "pence."—Lonsdale, 64. An attempt was made to prove at the bar that the new duty would be prejudicial to the plantations, "but "the king's promise that, if it was found inconvenient to the trade, "he would remit the imposition, was of so much prevalence, that "the matter was allowed no further debate."—Id. 4, 5.

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carry on a masked opposition to the measures of government. Several of the new charters had restricted the right of voting for members of parliament to certain bodies in the interest of the crown; and it was reported that previous to the recent elections the earl of Bath had repaired to Cornwall with thirteen charters of that description in his possession. By this innovation the influence of the Seymours had been greatly weakened in that county; and Mr. Seymour took an early opportunity, the very first debate on the revenue, to call the attention of the house to that grievance. He maintained that the new charters were illegal and invalid; that the right of election still resided in those in whom it belonged by ancient usage; and that no person returned in opposition to that right could be a lawful member of the lower house. There never was, he observed, a time in which it could be more necessary to watch over the purity of the representation. The laws, the religion, of the country were at stake. There existed an intention of abolishing the test, the great bulwark of Protestantism, and the writ of habeas corpus, the chief safeguard against arbitrary power. If the crown could control the elections, the liberties of the nation were forfeited for ever. Hence it was his opinion that their first measure should be an inquiry into the returns, that they might determine whether the house, as it was then constituted, could be said fairly and legally to represent the nation. He was heard with surprise, perhaps with secret approbation; but of those who followed in the debate, not one made the remotest allusion to his speech. In the course of the

May 27.

week, however, the subject was again brought forward by Sir John Lowther, subsequently Viscount Lonsdale,

who expressed a hope that after the proof of devotion which the house had given by voting the revenue, the motion which he was about to make would not offend the king, especially as the grievance, the subject of complaint, had not risen in his, but had grown up in his brother's, reign. The compulsory substitution of new for ancient charters amounted in his opinion to a disseizing of the subject of his freehold without a trial; it shook the very foundation of parliament by transferring the choice of representatives to other electors, and was pregnant with important consequences, which called for the most serious attention of the house. He concluded by moving the appointment of a committee to consider the proper method of applying to the king for a remedy, and received the support of several among the more influential members. But it was then a late hour, and the debate was adjourned for two days, when the king, sending for the house, asked for an additional aid. By this interruption Lowther's motion was made to give way to another question of more immediate urgency, and, for reasons of which we are ignorant, was never afterwards resumed.[1]

On the same day was debated another question of still higher interest, and even more calculated to awaken the angry passions of the members. Under pretence of danger to the church, it had been proposed in the committee for religion to petition the king that all the penal laws against dissenters should be put in immediate execution. Though several, who had promised their votes to the king, were on the committee, yet the motion met with no opposition.

[1] See Journ. May 27, 29; Lonsdale, 5, 8; Barillon in Fox, App. 90, 95; Evelyn, iii. 160; Burnet, iii. 38.

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He sent for them the same evening, complained of their timidity, and ordered all who prized his favour to oppose the resolution. The following morning it was submitted to the house, where, to the surprise of those with whom it originated, it was condemned as an insult to the sovereign, whose word it seemed to call in question, as an attempt to impose on the house, which could not expect the king to punish men for professing the same faith with himself, and as a secret manœuvre to excite, in aid of the rebels, dissension between the sovereign and his people. The friends of the resolution defended it but faintly; it was rejected without a division, and in its place was substituted a declaration that the house relied with perfect security on the solemn promise of the king to defend and support the established church, which was dearer to them than their lives.[1]

[1] C. Journ. May 26, 27. Reresby, 198. Fox, App. 95. A few days after the opening of parliament (May 30), Dangerfield, who in the last reign had come forward as a witness to support the waning credit of the pretended popish plot, was brought to trial in the court of King's Bench, on an information "for writing and publishing a most villanous and scandalous libel called his narrative," which had been printed by order of the House of Commons, in November, 1680, and embodied his incredible tale of the meal-tub plot, with several defamatory falsehoods respecting the late king and his brother, and the lords Peterborough and Arundell, Lord and Lady Powis, and others.—(See vol. ix. p. 464). He was found guilty, and condemned to stand twice in the pillory, to pay a fine of five hundred pounds to the king, and, like his prototype, Titus Oates, to suffer a public whipping, first from Aldgate to Newgate, and subsequently from Newgate to Tyburn. After his punishment, as he was returning in a coach to Newgate, Francis, a barrister, rode up to him, and by way of banter wished him joy of his warm back. Dangerfield replied with an imprecation, and the banterer, in play or in anger, made a push at him with his cane, the point of which by accident entered Dangerfield's eye. A few days later the man died, from what particular cause is unknown. It was, however, at a most critical moment. Argyle had already unfurled the standard of rebellion in Scotland, Monmouth in England, and the king had but a handful of regular troops to oppose to the rebels, and to maintain

On these questions the opponents of the court acted openly and fairly; but a more astucious leader devised a new and extraordinary plan of annoyance. Under the mask of attachment to the royal person, he moved that all who had formerly voted for the exclusion of James from the throne should during his reign be excluded themselves from places of trust and emolument. It was expected that the majority of the house would eagerly snatch at the opportunity of displaying their loyalty, that the dissensions of a former period would be revived, and that the present favourites, Sunderland and Godolphin, who had voted with the exclusionists, would be put on their defence. But these ministers had received notice of the design; they admonished their partisans to be upon the watch; and the moment the proposal was brought forward, it met with so fierce and general an opposition, that its authors suffered it to fall to the ground.[1]

The landing of the duke of Monmouth on the coast of Dorsetshire appeared to give a new stimulus to the loyalty of the parliament. Monmouth was immediately attainted, and a price set upon his head;[2] an

June 15.

June 17.

his authority in the metropolis. The death of Dangerfield gave rise to the most irritating reports among the lower classes, and it was deemed advisable, in order to allay the ferment in the city, to arrest and prosecute Francis on the charge of murder. He was found guilty, and executed on the very gallows to which Dangerfield had been whipped. Many applications were made for a pardon, but James refused to interpose with the exercise of his prerogative of mercy. Whatever may have been his reason, it is plain that the life of Francis was sacrificed to popular clamour.—See State Trials; Life of James, ii. 47; Kennet, iii. 442; Echard, iii. 741.

[1] Fox, App. 97.

[2] Burnet says that this bill was passed "on the general report "and belief" of Monmouth's having landed; which has given birth to an uninteresting dispute respecting Burnet's veracity between Rose and Heywood. Sir J. Lowther, indeed, seems to confirm Burnet, inasmuch as he says, that it was passed without examining witnesses; but both are contradicted by the testimony of

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additional supply of four hundred thousand pounds was granted to the king; and a bill for the greater security of the royal person was prepared. Such bills, arising out of particular circumstances, and making temporary additions to the original statute of treasons, had been passed in the reigns of Elizabeth and Charles II., but had always been attended with some sacrifice of right on the part of the subject. The present bill seems to have had three objects; to meet the difficulty urged at their trials by Russell and Sydney, and for that purpose to make words and writings overt acts of treason; to intimidate the partisans of Monmouth by enacting penalties against all who should pronounce him the legitimate son of Charles II. or the heir to the crown; and to check the licentiousness of the press by disabling all persons from holding office in church or state, who should be convicted of having maliciously and advisedly endeavoured to excite by word or writing hatred or dislike of his majesty or of the government established by law.[1] Serjeant Maynard forcibly objected to the policy of converting words into treason; it would lead to the punishment of innocence and the commission of perjury: facts must be seen, words might be misunderstood; and the detection of perjury respecting facts was comparatively easy, respecting words difficult and often impossible. Maynard was overruled; but in consequence of his objections two provisoes were added, one, that no writing or teaching in

June 19.

June 26.

June 27.

the journals, that the two messengers were examined by the council upon oath, and bore witness to the truth of the matter at the bar of the house.—C. Journ. June 13.

[1] This act appears to have been the model after which was framed the act of 36 Geo. 3, c. 7. Serjeant Heywood has printed them in parallel columns, p. 238.

defence of the doctrine or discipline of the established church against popery or other dissenting opinions should be considered an offence within the meaning of the act; the other, that the information should be laid within forty-eight hours after the words spoken, or the fact discovered; that the prosecution should begin within six months after the offence, and that the indictment should follow within the three subsequent months. In this state the bill passed the Commons; but the proceedings of Monmouth began to claim the whole attention of government; James requested the members to repair to their homes, and watch over the public tranquillity, and the two houses separated by adjournment, that the bills already in progress might not be lost by a prorogation.[1]

June 29.

July 2.

The House of Lords, where James, in imitation of his deceased brother, was constantly in attendance, displayed its loyalty by joining with eagerness in the different votes and bills transmitted from the Commons. On the first day of the session the earls of Powis, Danby, and Tyrone, with the lords Arundell and Belasyse, made their personal appearance at the bar, and obtained a final discharge. In addition the house rescinded the former order stating that impeachments by the House of Commons did not abate by the prorogation or dissolution of parliament.[2] This

May 19.

May 22.

[1] Mr. Fox printed the bill in his Appendix, 152. See also C. Journ. June 19, 26, 27, 29; Lonsdale, 8, 9; Burnet, iii. 39; Rose, 157; Heywood, 218. Barillon (Fox, 111) says that the proviso respecting preachers was highly displeasing to the king and queen, and that in his (Barillon's) opinion its introduction accelerated the prorogation of parliament.

[2] The order then rescinded has since been confirmed in the case of Mr. Hastings. We have now decisions of the House of Lords that impeachments do abate, and others that they do not abate, in consequence of a dissolution. The latter is at present the law of parliament. The contrary, however, has been the opinion of very

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was followed by a bill to reverse the attainder of Lord Viscount Stafford, on the ground that no doubt could any longer exist of his innocence, or of the perjury of Titus Oates. It passed in a very full house, and may be considered as a vindication of his memory by the same tribunal which had previously pronounced his condemnation. In the Commons it was read twice, and committed; but on the day appointed for its consideration, all the committees were adjourned on account of the landing of Monmouth, and no mention was made of it afterwards, owing perhaps to more important business which occupied the short remainder of the session, perhaps to the reluctance of the house to admit what the preamble assumed, that the popish plot was wholly an imposture.[1]

June 6.

June 12.

From the proceedings in parliament we may now revert to those of the two hostile expeditions under Monmouth and Argyle. During the latter years of Charles many individuals who had been marked out for prosecution in England and Scotland found a secure asylum in the United Provinces; and of these, the Scottish exiles, as soon as the accession of James was known, assembled in consultation in the town of Rotterdam. The character of their leaders has been

eminent lawyers, such as the lord chancellor Nottingham and Lord Hale, formerly, and of Lord Thurlow and Lord Kenyon in the late case of Mr. Hastings; and who can say that it may not at some subsequent period, when party politics run high, be again adopted?

[1] L. Journ. xiv. 17, 22, 28. C. Journ. June 4, 5, 6, 12. This act of justice has lately been accomplished by the reversal of the attainder. During the debates on the continuance of the impeachment of Mr. Hastings, "all parties, however differing in other "points, appeared to have agreed that Oates's plot was an impos- "ture, and that, to use the language attributed to an eminent law "lord in his speech on the question, Lord Stafford's execution was "a legal murder."—Hargrave, Opinion and Argument, p. 147.

faithfully drawn by Sir Patrick Hume, one of the number. They were men who looked on themselves as martyrs in the cause of religion and liberty, who gave to the pretended revelations of Titus Oates the credence due to the best authenticated testimony, and who never suffered a doubt to rise in their minds of the existence of a popish conspiracy to eradicate the profession of Protestantism, and establish as a necessary consequence the sway of arbitrary power both in England and Scotland. The progress of that conspiracy had, indeed, been checked by the executions in 1678 and the subsequent years; but the mystery of iniquity was still working in darkness; it had acquired new facilities of carrying on its design; it was fostered by the indolence or connivance of the king, and by the apathy of the people, who were "intoxicated by "ease from war and taxes, and a free course of traffic "and trade." The death of Charles was taken by them as a confirmation of those notions. He had most certainly been poisoned by the papists: the same faction had raised his brother James to the throne; and, should that prince have leisure to consolidate his power by raising a military force, religion and liberty would inevitably be banished from the two kingdoms, and not only from them, but from every country in Europe which dared to profess the reformed creed. From such premises they drew the conclusion that no time was to be lost; that an immediate opportunity should be offered to the people of England and Scotland of rallying round the standard of Protestantism and freedom, and that the duke of Monmouth and the earl of Argyle, as their natural leaders, should be invited to aid them with their counsel and concur-

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rence. Messengers with these resolutions were instantly despatched to the two chieftains.[1]

1. Monmouth, at the death of his father, was still at the Hague, expecting to be recalled to England, and living in the strictest intimacy with the prince and princess of Orange; who, to accommodate themselves to his habits, consented to enliven the gloom and solitude of their court with a round of unusual amusements;[2] and, as if they were assured of the secret approbation of Charles, set at defiance the resentment of James and the remonstrances of the ambassador. But on the accession of the new king the prospect was changed. William saw the necessity of propitiating his father-in-law, and Monmouth, after several secret conferences with the favourite Bentinck, withdrew privately to Brussels, where he sought to persuade himself, in the company of his mistress, Henrietta Wentworth, that the quiet enjoyment of a retired life was preferable to the turmoils and disappointments of ambition. But the arrival of the messenger from the exiles dissipated the delusion, and revived his former hopes and projects. He repaired to them at Rotterdam, approved of their plans, offered to risk his life in the common cause, and expressed his readiness either to accompany the English to England, or to serve as a volunteer under Argyle in the expedition to Scotland.[3]

[1] See the narrative of Sir Patrick Hume, published by Mr. Rose, 5, 9.

[2] D'Avaux, iv. 105, 106, 109, 113, 120. The most singular thing was, that the prince, to please Monmouth, compelled the princess to learn to skate on the ice. "C'étoit une chose fort extraordinaire de voir la princesse d'Orange, avec des jupes fort courtes, et à demi retroussées, et des patins de fer à ses piés, apprendre à glisser tantôt sur un pié et tantôt sur un autre" (121).

[3] Id. iv. 136. Sir P. Hume, 9, 15. Wellwood, App. 323. Mon-

2. Argyle manifested less pliancy of disposition. After his escape to Holland he had withdrawn from public notice to Leeuwarden, where he found the means of maintaining an active correspondence with his friends in Scotland, and of making secret preparations to revenge himself at some propitious moment on his enemies in both kingdoms. His English friends had already supplied him with a considerable sum of money, said to be the donation of a rich widow in Holland, and the intelligence of the king's death summoned him to Amsterdam, where he purchased a ship, and arms, and ammunition. Thence he followed the messenger to Rotterdam, not to consult, but, as he had persuaded himself, to command. He explained his preparations to the exiles, bade them commit themselves to his guidance, and proposed to sail without delay to Scotland. He was, however, embarrassed by the presence of Monmouth, of whose pretensions he betrayed considerable jealousy. But the two chieftains met in private, adjusted their respective claims, and agreed that there should be two expeditions, one consisting of English adventurers under Monmouth to land in England, the other of Scots under Argyle to try their fortune in Scotland.[1]

3. There remained, however, a third party, whose concurrence was necessary,—the exiles themselves. They were generally men of republican principles, who felt no particular reverence for the superiority of hereditary rank, nor cared to expose themselves to danger for the mere purpose of setting up one monarch in the place of another. Before they would

mouth's letter in Wellwood is written to Spence, the secretary of the exiles, and appears from its contents to be the answer to their invitation.

[1] Sir P. Hume, 9, 12, 15, 18.

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move, they drew from Monmouth, though he still gave himself out for the legitimate son of his father, a solemn promise not to take the title of king, unless it were advised by his associates as requisite for their common success; and even in that case to resign it afterwards, and to content himself with such rank as the nation should judge an adequate reward for his services.[1] Argyle was more obstinate. He had already, and without their aid, formed a plan of invasion: his birth and exertions gave him, in his opinion, a title to their obedience; and the prediction of an astrologer had dazzled his imagination with indistinct but flattering visions of future greatness. Conferences, disputes, and explanations followed; at last necessity compelled him to submit; and he seated himself at the board as one of twelve counsellors, with Sir John Cochrane for their præses or chairman. They constituted themselves a supreme council for conducting the enterprise, with authority to add to their number, after their arrival in Scotland; appointed the earl of Argyle general of the army, "with as full power as "was usually given to generals by the free states in "Europe;" and committed to one of their number the charge of drawing up a declaration of war against James, duke of York.[2]

April 7.

[1] Sir P. Hume, 9, 12, 14. The English exiles acted in this matter in unison with the Scottish. "He (Monmouth) took deep "asseverations in the presence of God, that he intended and would "do as he had spoken, and repeated what before is rehearsed, and "said he would give the like assurances to the English, as he did "very solemnly, whereby his greatest opposers, jealous of him as "above said (who gave me a full account of the matter, as likewise he himself did afterwards at Amsterdam), were cordially "joined to him, and at peace with him."—Id. 14. If any credit be due to Sir Patrick Hume, Monmouth, instead of joining in the expedition through importunity and against his own judgment, as is sometimes said, promoted it with all his might.

[2] Id. 14, 35. Crookshank, ii. 260.

In the meantime, Monmouth having received strong assurances of support from his adherents in England, pawned his jewels and those of his mistress to make the necessary preparations, and Argyle added two more ships to that which he had previously purchased. Each party composed a manifesto adapted to the particular circumstances of the respective countries, which was communicated to the other, and subsequently amended, till it obtained the approbation of both. To preserve the union between them, two Englishmen, Ayloffe the lawyer, and Rumbold the maltster, both of Rye-house notoriety, were attached to the Scottish, and two Scots, Fletcher of Saltoun, and Ferguson the minister, to the English expedition. They separated: Monmouth promised to follow within six days, and the Scots, in number about three hundred men, proceeded to their ships in the Texel. It was in vain that the English envoy demanded their arrestation on the faith of treaties: through the connivance of the Dutch authorities they were permitted to pass the Ulie without molestation.[1]

April 28.

May 2.

On the fourth day the adventurers with a fair wind reached Cairston in the Orkneys, where Spence the earl's secretary, and Blackadder the surgeon, were made prisoners by the natives;[2] an unfortunate oc-

May 6.

[1] Id. 36, 37. They went on board on the 28th of April. One of their ships had already passed the Ulie, but the other two were not ready to sail before the 2nd of May. On the 28th Skelton had laid an information before the magistrates, but could obtain no answer before the 30th, when a yacht sailed from Amsterdam with orders to stop the two ships; but the captain kept at a distance, and reported that they were already under sail, and that one of them had fired on him.—Compare D'Avaux, v. 4, with Sir P. Hume, 38, 39.

[2] For what purpose these gentlemen went on shore is not known. It appears that they had the consent of Argyle; and that the council proposed to land and liberate them by force, but to that the

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currence, as it revealed to the council in Edinburgh the strength and the destination of the expedition, and taught them to prepare for the reception of the invaders. A proclamation had already ordered the kingdom to be put in a posture of defence; and the vassals of Argyle had been compelled to deliver hostages for their fidelity; new bodies of militia and regulars were despatched into the western shires; several frigates sailed for the isles, and all suspected persons were imprisoned unless they gave security for their loyal behaviour. In the meantime Argyle, taking with him four of the natives as hostages for the lives of the captives, continued his voyage from the Orkneys, and landing in Lorn and afterwards in Cantire, published in both places the declaration, which he brought with him from Holland. It stated at great length, and in most inflammatory language, all the grievances, real or imaginary, of the reign of Charles II.; attributed them to "a conspiracy between popery "and tyranny, which had been evidently disclosed by "the cutting off of the late king, and the ascending of "the duke of York to the throne;" pronounced that prince incapable of giving the security indispensably required of him before his entry on the government, and declared that their object was twofold; first, the restoration of the true Protestant religion, by "the "perpetual exclusion of popery, of its most bitter "root and offspring prelacy, and of its new and "wicked head the supremacy," and secondly, the replacing of all men in their just rights and liberties; that they would never enter into capitulation or treaty with the said duke of York, and would indemnify all

April 28.

May 7.

May 14.

May 7.

May 11.

earl objected, and seized the four hostages mentioned afterwards.—Sir P. Hume, 41.

persons, even their former enemies, who should assist them against a persecuting tyrant and an apostate party. At Tarbet he published a second declaration, displaying his own wrongs, his former patience under oppression, and the reason of his present appearance in arms, and immediately sent messengers with the fiery cross in all directions to summon his former vassals to the aid of their natural lord.[1] CHAP. II. A.D. 1685. May 27.

It would exhaust the patience of the reader to detail the subsequent particulars of this ill-concerted and ill-fated expedition. Few were found to rally round the boasted standard of religion and liberty; the Cameronians, though they renewed their renunciation of the government of James, could not in conscience support a cause owned by men of a different interest from their own; and each day was marked by new disappointments, and new causes of dissension between the earl and his associates. *He* relied on the attachment of his clansmen in the highlands; the council of exiles on the deep resentment and more obstinate character of the lowlanders: he sought to clear his own country of the enemy; they demanded to be led into the western counties, which had so long been the theatre of religious persecution. The controversy was determined by the appearance of a hostile fleet on the coast; and Argyle having piloted his vessels through the narrows, and left his stores with a garrison of one hundred and fifty men in the castle of Ellenghiereg, departed with the rest of his force, intending to fight his way to the city of Glasgow. At high water the king's ships under Sir Thomas Hamilton passed in safety between the rocks: the garrison fled before a June 10.

[1] Ibid. 40, 46. Dalrymple, 127. Wodrow, ii. 531, 532. App. 152, 155. State Trials, xi. 1025, note.

CHAP. II. A.D. 1685.

single gun had been fired; and the vessels of the invaders, the four hostages, five thousand stand of arms, three hundred barrels of powder, and the earl's standard, with the inscription, "Against Popery, Prelacy, "and Erastianism," fell into the hands of the royalists.[1]

June 15.

June 16.

The next day Argyle with his associates passed the Leven; but wherever he directed his march, he found himself opposed or followed by strong bodies of regulars and militia. Driven from the direct road, he attempted to thread his way among the hills and morasses; but his followers deserted him; at Kilpatrick his force had dwindled from two thousand to five hundred men; and during the darkness of the night, Argyle himself, either by his own counsel or at the suggestion of his friends, deemed it prudent to withdraw. Accompanied by Fullarton, he re-crossed the Clyde, but was overtaken and made prisoner at the water of the ford of Inchanan. Of the men whom he had abandoned, about one hundred, the volunteers from Holland, resumed their march, passed the Clyde in boats, and maintained a sharp skirmish with the royalists at Luton-bridge. Here they heard of the capture of their leader, and, despairing of success, fled during the night in various directions. Thus ended this unfortunate expedition.[2]

June 17.

Thirty-five years before (so it was reported) Argyle from a private window in Edinburgh had gratified his revenge with the sight of the indignities heaped on the

[1] Sir P. Hume, 45, 56. Gazette, No. 2044. Barillon, 2 Juillet. The reader will recollect that Erastianism was the opinion which gave to the civil magistrate the right of deciding in matters of religion.

[2] Ibid. 56–67. Wodrow, ii. 533—537. Gazette, 2045. Barillon, 5 Juillet. Wodrow pretends that Argyle was deserted by his men; Sir P. Hume, who gives a very circumstantial detail, assures us that he deserted them.

unfortunate marquess of Montrose. It was now his doom to meet with a similar reception. Bareheaded, with his hands tied behind him, and preceded by the hangman, he was made to pass under the same gate, and through the same streets, to the castle. The judgment pronounced on him in 1681 was still in force, and the council waited only for the royal permission to put it into execution. His conduct as an insurrectionary leader had been marked by want of judgment and decision; but as a prisoner under a capital sentence, he displayed a serenity and firmness of mind, which extorted the praise of his bitterest enemies. Of the lawfulness of his late attempt he cherished a firm conviction; it was justified by the recollection of the wrongs which he had suffered, and by the prospect of the calamities which to his apprehension the reign of James would inflict on the three kingdoms; and the cause in which he was about to lay down his life was, he could not doubt it, the cause of his country. Nerved by these considerations, he mounted the scaffold with the high feelings of a martyr, forgave all his enemies, and uttered with his last breath an indignant testimony against "popery and "prelacy and all superstition whatsomever."[1]

CHAP. II. A.D. 1685. June 20. June 30.

Among his fellow-captives the principal were his two sons, Sir John Cochrane, and Ayloffe and Rumbold. His sons were banished; Cochrane by an ingenuous confession to the king obtained his pardon; but Ayloffe's obstinacy or fidelity was proof against the offer of life, and, after a fruitless attempt at suicide, he suffered in England the death of a traitor. Rumbold, who had served as a private in the parliamentary army, and as an officer under Cromwell, was brought

[1] Wodrow, ii. 538—545.

CHAP. II. A.D. 1685.

before the Court of Justiciary, where he indignantly denied the first part of the charge against him that he had conspired the death of Charles II. and his brother at the Rye-house farm, but acknowledged the second part, that he had been the associate of Argyle in his late attempt. He received judgment, and was executed the same afternoon.[1]

June 26.

Monmouth had engaged to follow Argyle in the course of six days; yet three weeks elapsed before he left Amsterdam, a whole month before he joined the expedition riding at the mouth of the Texel. It consisted of a frigate of thirty-two guns, with four small tenders, of which one was detained by the Dutch authorities, and of eighty exiles, accompanied by an equal number of servants, or followers. With this inconsiderable force the unfortunate adventurer undertook to win the crowns of three kingdoms; but his hopes were buoyed up with the expectation that multitudes would hasten to his standard; and under this persuasion he carried with him, instead of soldiers, equipments for an army of cavalry and infantry to the amount of five thousand men.[2]

May 24.

May 30.

The boisterous state of the weather had relaxed the

[1] See Burnet, iii. 29; State Trials, xi. 874; Fox, App. 156; Wodrow, ii. 552, 556. From all authorities it is plain that he denied the Rye-house plot before his judges, and, if we may believe the Western Martyrology, he repeated that denial on the scaffold. But the Western Martyrology is not the best of vouchers; and the fact is hardly consistent with the silence of Wodrow and Fountainhall. Indeed, the very denial attributed to him shows that there was something in the charge. "He did not deny but that he had "heard many propositions at West's chambers, about killing the "two brothers, and upon that he said it could have been easily "executed near his house; upon which some discourse had followed "how it might have been managed; but he said it was only talk, "and that nothing was either laid, or so much as resolved on."—Crookshank, ii. 291.

[2] C. Journ. June 15. Barillon, 23 Juin.

vigilance of the royal cruisers; and Monmouth seized a favourable moment to set sail, stole unobserved down the Channel, and on the 11th of June appeared in front of the small port of Lymé in Dorsetshire. The moment he landed on the beach, he offered on his knees a fervent prayer for the success of the enterprise, and then, drawing his sword, marched at the head of his followers into the town. The mayor and principal inhabitants had fled; but the lower classes were summoned round a blue flag planted in the market-place, where they listened to "The declaration "of James, duke of Monmouth, and the noblemen, "gentlemen, and others in arms for the defence and "vindication of the Protestant religion, and the laws, "rights, and privileges of England." In this instrument (the tone and acrimony of which betrayed its real author, Ferguson the minister), James is pronounced an usurper, and therefore designated by his former title of duke of York; the whole course of his life is described as "one continued conspiracy against "the reformed religion and the rights of the nation;" and to him are attributed the burning of London, the confederacy against the Protestant state of Holland, the support of the popish plot, the murder of Godfrey, the subornation of witnesses to swear away the lives of the patriots, the assassination of the earl of Essex, and of those who were privy to that assassination, and the dissolution of several succeeding parliaments, that they might not bring him to justice, and make him suffer the punishment due to these crimes. From his offences during the life of the late king, the declaration passes to those which he committed "after he "had snatched the crown from the head of his bro-"ther." He had authorized the practice of idolatry;

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he had invaded the property of every Englishman by levying taxes without authority; he had polluted the fountains of justice by placing on the bench men who were a scandal to the bar; he had packed juries, had granted illegal charters, and had converted the fences against tyranny into the means of establishing despotism. On all these accounts the duke of Monmouth and his associates declare war against him as a murderer, a traitor, and a tyrant, and engage never to admit of any accommodation with him, but to continue the war till they shall have brought him and all his adherents to condign punishment.

It then proceeds to describe the object of the invaders. They intend to establish the Protestant religion "beyond all probability of its being supplanted;" to abolish all penal laws against Protestant dissenters, and all sanguinary laws against any religionists whatsoever; to procure annual parliaments, which cannot be dissolved, or prorogued, or adjourned, before petitions have been answered and grievances redressed; to have upright judges, holding their places during their good behaviour, and subject to the approbation of parliament; to restore the ancient charters, to repeal the militia and corporation acts, to place the choice of sheriffs in the freeholders of the counties, and to allow no standing army but by the authority of parliament.

In conclusion it charges the king with having, in order to expedite the idolatrous and bloody designs of the papists, to gratify his own boundless ambition, and to prevent all inquiry into the murder of the earl of Essex, poisoned his late brother, a brother who loved him so as to endanger his own crown to save him from punishment; wherefore the duke of Monmouth,

in revenge of the horrid and barbarous parricide committed upon his father, will pursue the said James duke of York as a mortal and bloody enemy, and will endeavour to have justice executed upon him. Not that Monmouth doth at present insist on his own title—that he leaves to the wisdom, justice, and authority of parliament—but he acts as head and captain-general of the Protestant forces of the kingdom, and in that quality he promises to promote the passing into laws of all the improvements previously mentioned, that it may never more be in the power of a single man to subvert the rights and liberties of the people.[1]

When Monmouth published this declaration, so intemperate in its language, so slanderous in its assertions, he must have been intoxicated with the assurance of success, or have made up his mind to conquer or die. From the king it is evident that after such wanton and bitter provocation he could expect no mercy. Neither was it calculated to make a favourable impression on the public. The falsehood and enormity of many of the charges shocked the feelings of considerate men: the liberty offered to dissenters and the allusion to his own claim united against him the friends of the established church and those of hereditary descent; and the notion that he aspired to the crown, a notion which his affected moderation served rather to confirm than discountenance, taught thousands to stand aloof, whom their predilection for a commonwealth would otherwise have collected round his banners. Not a nobleman, not a gentleman of interest or opulence openly ventured to

[1] See it in Somers' Tracts, iv.; Collect. tom. ii. p. 190; State Trials, xi. 1032.

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declare in his favour. But the religious and political prejudices of the populace were excited: they crowded to offer their services; arms were distributed, companies formed, and officers appointed; and on the

June 15. fourth day Monmouth marched from Lyme at the head of four regiments, amounting in all to more than three thousand men.

Previously, however, two events had happened calculated to make him think seriously on the want of discipline and subordination among his followers. 1. The two men, on whose immediate services he chiefly relied, were Fletcher of Saltoun in Scotland, and Dare of Taunton in Somersetshire. The intrepidity of Fletcher had been proved in several encounters, the superiority of his military knowledge was universally acknowledged. Dare had once been a goldsmith at Taunton; afterwards, in quality of a broker at Amsterdam, he had conducted the correspondence between the malcontents in both countries; and now he held the offices of secretary and paymaster, and had proved his influence among his countrymen by inducing forty horsemen to join the army

June 13. the day after landing. It happened that Dare made his appearance at their head on a beautiful and spirited charger, better adapted in the opinion of Fletcher for the use of a military officer than of a civilian. The Scot seized and claimed the horse; the secretary resisted, and in the struggle was shot through the head with a pistol. The new levies instantly assembled, and demanded the punishment of the assassin; and Monmouth, to screen him from their vengeance, placed Fletcher under arrest, sent him on board one of his vessels, and ordered the captain to sail to the coast of Spain. This untoward occurrence

was a subject of regret and a source of misfortune to the duke; it deprived him both of the only officer to whom he could safely trust the military command, and also of a man who possessed the most extensive influence among the lower classes of the natives.[1]

2. A body of four hundred men, under the command of Lord Grey, was ordered to drive the militia out of the neighbouring town of Bridport. They surprised the bridge at the entrance, and pushed through the long street, till two men fell from a volley of musketry. Grey with the cavalry instantly fled; Venner, who commanded the foot, followed their example, and the panic instantly spread through the whole force. By the spirited conduct of Major Wade, who repeatedly turned on the pursuers, the retreat was effected with inconsiderable loss; but the skirmish proved to the conviction of the duke that little reliance was to be placed on the military prowess of Lord Grey, or on the steadiness of men unused to the casualties of a field of battle.[2] June 14.

In no part of England had the fanatical and antimonarchical principles which prevailed under the commonwealth taken deeper root than in Dorsetshire and Devonshire. If their growth had been checked by the restoration, they were still kept alive by religious persecution; and it was well known that the great body of the inhabitants, a hardy and turbulent race, cherished a strong antipathy to the existing government, and were ready to rise at the call of any man who should profess to fight the battle of the

[1] Wade, in Miscellaneous State Papers, ii. 317. Heywood, App. 29. Monmouth's vessels which remained at Lyme were taken by some frigates, with a great number of cuirasses.—Barillon, 5 Juillet.

[2] Wade, ibid. 317—321. Dalrymple, 129.

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Lord against popery and arbitrary power. Hence it was to them that the council of six in the last reign had looked for their principal support in the event of an insurrection, and among them that Monmouth had now determined to seek an army of resolute and enthusiastic followers. From Lyme he hastened to Taunton, a rich and populous town, where he was received with loud acclamations, as the saviour of the country. The inhabitants presented him with a stand of colours richly embroidered; twenty young maidens, in their gayest attire, came in procession to offer him a naked sword, and a pocket bible, and the duke assured them, in return, that his chief object was to defend the truths contained in that sacred book, and to seal them, if it were necessary, with his blood. But this flattering reception revived his ambition, and he began to feel uneasy under the promise which had been extorted from him at Rotterdam, and which he had so recently published in his declaration. It was asked in council whether, considering all the circumstances, it were not expedient and necessary that he should assume the insignia of royalty; the republicans found themselves outvoted by his favourites and flatterers; and the adventurer took on himself by solemn proclamation the title of King James II.

June 20. Nor did he delay to exercise his new powers. He touched children for the evil, declared the duke of Albemarle, who lay with a body of militia at a short distance, a traitor;[1] pronounced the two houses of parliament, unless they should disperse within ten days, seditious assemblies; ordered the customs and excise to be levied for his service, and set a price on

[1] See the papers which passed between them in Mr. Ellis's first series of Original Letters, iii. 340; also Dalrymple, 131.

the head of the usurper of the crown, James duke of York.[1]

That prince, though cheered by the votes of parliament, was not without strong grounds of disquietude. He dared not trust the decision of the contest to the militia of the counties, whose fidelity was as doubtful as their inexperience was certain; of the regular force, which in the whole kingdom did not exceed five thousand men, a great portion was required to awe the metropolis, in which it was supposed that Monmouth had a considerable party, and where two hundred suspected persons were placed under arrest as a measure of precaution; and in the three Scottish regiments, which were sent to his assistance by the States, it was discovered that many of the officers had been previously seduced from their allegiance by the exiles. Unable for the moment to arrest the progress of his opponent, he gave the command to Lord Feversham, with instructions to secure Bristol, but not to hazard a battle without a regular force; ordered the bodies of militia to surround the enemy at convenient distances, that they might check his motions and intercept his supplies; and gave the Scottish regiments to understand that, as soon as they had recovered from the fatigue of their voyage, they should proceed to the defence of their own country.[2]

Monmouth, on the other hand, reaped little benefit from the assumption of royalty. He wandered from place to place without any apparent object. No per-

[1] There have been many disputes respecting the origin of this measure. I think it plain from Wade (322, 323), that it came from Monmouth himself, and was advocated by Lord Grey and Ferguson.

[2] Fox, App. 113. Barillon, 25, 28 Juin, 9 Juillet. Mem. of James, ii. 26.

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son of quality offered his services; his friends in the capital and the country remained quiet; Bath and Bristol refused to admit him within their gates; and, if the militia constantly retired before him, yet his rear was as constantly pressed by several squadrons of cavalry. Despondency succeeded to confidence; he became fretful, melancholy, and indolent; he wandered from place to place, as if he had no fixed object in view, consoling himself with the expectation of favourable news from his friends in Scotland. At

June 27.

Frome he became acquainted with the fate of Argyle. His last hope was now gone. In an agony of despair he proposed to the principal officers to desert their followers in the night, ride to the nearest seaport, seize on a boat, and commit themselves to the mercy of the winds and waves. But from this unworthy counsel he was diverted by the spirited expostulation of Lord Grey, who, whatever he might be in the field, showed no want of energy in the cabinet. After several contradictory resolutions, it was resolved to cross the Avon at Keynsham-bridge, the Severn at Gloucester; and to march along the right bank of the last river till they should be joined by their friends from Cheshire: but Venner and Mason, two of his most distinguished partisans, dissenting from this advice, and conceiving themselves released from their obligations to him, made their escape.[1]

The rebel army returned to Bridgewater: Feversham with about two thousand regulars and a smaller body of militia reached Somerton. On the Sunday morning he left that town, and quartering his cavalry in the village of Weston, ordered the infantry to encamp in front of two hamlets on the extensive swamp

[1] Wade, 327.

of Sedgemoor. Monmouth saw that his projected escape into Wales had been anticipated: some one suggested an attack upon the royal army in the dead of the night. It was indeed a dangerous expedient to be attempted with a mass of undisciplined followers; but, considering the distances at which the divisions of the enemy lay from each other, it offered a chance of success, and after some deliberation was adopted. Late in the evening Monmouth led his men in silence out of Bridgewater, and took a very circuitous route to avoid the patrols on the accustomed road. Soon after midnight he reached the edge of the moor, which, fortunately for his purpose, was covered with a dense fog. His guides led him faithfully to the causeways across two broad and deep trenches which intersected the moor. There still remained a third to be passed, but by this time the alarm had been given, and every preparation had been made to receive the assailants. The duke ordered the Lord Grey to charge into the camp at the head of the cavalry. Will the reader believe, as was afterwards pretended, that the guide had concealed from them the existence of the third trench and causeway? Yet Grey carefully avoided the causeway, and rode along the margin of the trench as if he were in search of a ford; but a volley of musketry from the opposite bank threw his men into confusion; they turned, fled, and after a skirmish in the dark with their own infantry, entirely dispersed. Another body of three squadrons, under Colonel Jones, had followed the first. They made a gallant attempt to force the passage of the ditch, but were repulsed, and formed again at a distance. Monmouth, as soon as the action began, ordered the foot to advance with the utmost expedition: they halted

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at the distance of eighty paces from the enemy, and continued to fire for a considerable time, though they were answered only by the royal artillery. In the meanwhile Feversham had brought the cavalry from Weston, and posted them on the right flank of the enemy. The moment it became light, he ordered the infantry to cross the ditch; the cavalry charged at the same time; the insurgents, after a short resistance with scythes and the butt-ends of their muskets, were broken; and the moor was covered with scattered parties of runaways and pursuers in every direction. The victors lost three hundred men in killed and wounded: of the vanquished five hundred fell on the field, and thrice that number were made prisoners.[1]

It might have been expected that Monmouth, aware of the doom which must be his lot, if he should fall into the hands of his enemies, would have preferred to perish in the company of the brave men whom he had induced to risk their lives in his service. But he was already several miles from the field of battle. Under the persuasion that his followers, however numerous, were unable to cope with a disciplined force, he had placed all his hopes of success on the confusion which might be created by a nocturnal surprise; and the moment he learned from Lord Grey that the royalists were on their guard, and had repulsed the cavalry, he left the army under the covert of darkness, and in the company of Grey and Busse, an officer formerly in the service of the elector of

[1] I have given the best account I could collect of this battle from the official papers in Haynes, ii. 305, 314; Wade, ibid. 329; Paschall in Heywood, App. 29, 37, 40, 41, 43; Barillon, 9 Juillet; Dalrymple, 132, 134; James ii. 30; Burnet, iii. 30, 48; Echard, 1065; and Evelyn, who says that most of the slain were Mendip miners (iii. 164).

Brandenburg, proceeded at full gallop along the road leading to the north. From the summit of an eminence they turned to take a last view of the field, witnessed the sanguinary defeat of their adherents, and, resuming their pace, hastened to the Mendip-hills, where they disguised their persons, and turned towards the New Forest, in the hope of procuring on that coast some conveyance beyond the sea. On Cranborn Chase they quitted their horses, and letting them loose, proceeded on foot. But the result of the action at Sedgemoor was already known; and parties of cavalry from Kingwood and Pool were scouring the country to prevent the escape of the fugitives. Early in the morning Lord Grey and the guide were made prisoners at the junction of two cross-roads: Monmouth and Busse had time to burst through a hedge, and conceal themselves in the fields; but they had been seen by a woman, who gave information; Lord Lumley and Colonel Portman, the commanding officers, agreed to divide the reward, five thousand pounds, between their respective parties; a line of sentinels was drawn in a circle round the spot; and the rest of the men were employed to beat the enclosures. During the remainder of the day the two fugitives eluded the search of the pursuers; but at five the next morning the Brandenburgher was taken, who owned that he had parted from the duke only four hours before. At seven, Monmouth himself was discovered, lying in a ditch, and covered with fern. The captors conducted him to Kingwood, whence, after two days' repose, he was removed to the capital.[1]

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July 7.

July 8.

From the timidity of Monmouth in the field, it

[1] Account of the Manner of Taking the late Duke of Monmouth. —Harleian Miscellany, vi. 321. Gazette, 2058.

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could not be expected that he would face with steadiness the death which now awaited him on the scaffold. By the act of attainder he was already condemned, and could have no hope of life but from the pity or generosity of the king. But what claim had he on that prince? Twenty months had not elapsed since he had obtained the pardon of James on a solemn promise to be the first to draw the sword in defence of his rights; and yet he had ungratefully levied an army against him, had set the crown on his own head, and publicly declared the king a murderer, a tyrant, and an usurper, and had announced to the world that on account of his crimes he would pursue him to the death. Still, in the face of this provocation, the love of life taught him not to despair, and from Kingwood he wrote to James a supplicatory letter, expressive of the deepest remorse for his ingratitude and rebellion, attributing the blame to the counsels of "false and "horrid" companions; and soliciting the favour of a personal interview, as much for the king's sake as for his own. He had that to reveal which he could not commit to paper, that which would secure to the monarch a long and happy reign. A single word, did he dare write it, would be sufficient to prove his repentance for the past, and his loyalty for the future. To this letter he added two others of similar import, one to Rochester, the favourite minister, and another to the queen dowager, who had repeatedly interceded in his favour with the last sovereign.[1]

July 13. Monmouth, on his arrival in London, was conducted, in company with Grey, to the apartment of Chiffinich at Whitehall. After dinner, having hi

[1] State Trials, xi. 1072, note. Clar. Corresp. i. 143. Ellis, iii 343. Barillon, 23 Juillet. See Note (B).

arms loosely tied behind him, he was introduced to the king, who received him in the presence of Sunderland and Middleton, the two secretaries of state. He threw himself on his knees, and implored forgiveness in the most passionate terms; but to James his protestations of remorse and attachment appeared too vehement and extravagant to deserve credit, and his solicitations for life too abject for one who boasted of royal blood in his veins, and had undertaken to act the part of a king. In extenuation of his offence he urged that he had been deceived by messages from England, and by the advice of the exiles in Holland, on whom he liberally bestowed the appellation of rogues and villains. The declaration had been composed by Ferguson, and the royal title had been forced upon him against his own judgment and inclination. This he said in general: what particular information he communicated did not transpire; but so much is certain, that he made no disclosure answerable to the pretensions set forth in his letter. He then threw himself a second time on his knees, supplicating for mercy; but James replied, that by usurping the title of king he had rendered himself incapable of pardon; and, reminding him of his early education under the Oratorians in Paris, requested to know if he wished for the aid of a Catholic priest? Monmouth instantly asked, Was there then no hope? but the king was silent, and Lord Dartmouth received orders to conduct him to the Tower. In the carriage he implored the protection of that nobleman, offered to accept of life on any terms, threw the blame of his usurpation on every one but himself, and betrayed a meanness of spirit which excited surprise and contempt.[1]

[1] James, ii. 36, 40. Reresby, 212. Dalrymple, 134. Barillon,

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The interview with Monmouth has subjected the king to much severe, but perhaps unmerited, censure. He has been accused of want of feeling, in consenting to behold a nephew on his knees with a predetermination not to grant him mercy, and of cruelty in adding to the sufferings of his victim by exciting hopes which he was resolved to disappoint. But his predetermination to refuse the prayer of the criminal has been assumed without any proof; and the interview itself was not of the king's seeking; it was reluctantly granted by him as a favour to the prayers of Monmouth, and of Monmouth's intercessors, and on the representation that the disclosures to be made by the prisoner would, on account of their superior importance, cancel his crimes of treason and usurpation. In such circumstances the refusal of the interview might, with greater reason, have been adduced as a proof of cruelty. As to the alleged relationship of uncle and nephew, it could not operate with much force on the mind of a prince who disputed the history of Monmouth's birth. Lucy Barlowe had other lovers at the Hague, in addition to Charles Stuart; and it was the belief not only of James, but of many besides James, that the real father of her child was Colonel Robert Sydney.[1]

23 Juillet. Rose, App. 65. Mazure, ii. 8. These authorities show that no credit is due to the account of this interview in Kennet. Of Monmouth's discourse with Lord Dartmouth in the carriage as they proceeded to the Tower, this statement is given by the son of that nobleman :—"Monmouth pressed him in a most indecent "manner to intercede once more with the king for his life on any "terms. My father said the king had told him the truth, which was "that he had made it impracticable to save his life, by having de"clared himself king. 'That's my misfortune,' said he, 'and those "'that put me upon it will fare better themselves;' and then told "him that Lord Grey had threatened to leave him on his first land"ing, if he did not do it."—Burnet, iii. 51, note.

[1] James, i. 491. Evelyn, iii. 168. Macpherson, i. 77.

On the removal of Monmouth, Grey was introduced. His manner and language offered a striking contrast to that of the leader whom he had followed. His behaviour to the king was respectful, and his answers to the royal questions were delivered with modesty and firmness; but he made no disclosure, and asked for no favour. James himself could not abstain from allowing him the praise of resolution. Monmouth received notice to prepare for death within forty-eight hours; Grey, who had not been attainted, was reserved for trial according to the due course of law.[1]

The first person who visited the duke in the Tower was his wife, in company with the lord privy seal, the earl of Clarendon. Few persons thought that she could feel much interest in the fate of a husband who, though she had brought him a princely fortune, had always treated her with neglect, and for the last two years had deserted her for a rival, Henrietta Wentworth. But she deemed it her duty to preserve the inheritance of the Buccleugh family for her children, and with that view was anxious to prove to the king that she had no participation in the treason of her lord. Monmouth received her coldly, but improved the opportunity to plead his cause with Lord Clarendon, in the same manner as he had so recently done with Lord Dartmouth. Clarendon replied that the sole object of their visit was to afford him the opportunity of speaking in private, if he wished it, with the duchess; that to excuse himself by accusing his advisers was useless. The plea had been once admitted, and he had been pardoned. He could not expect the same result a second time. Monmouth, however, persisted in the use of similar arguments till he was in-

[1] Dalrymple, 134. Barillon, 26 Juillet.

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terrupted by the duchess inquiring whether she had ever received any information from him respecting his late attempt, or had approved of his political conduct for some years, or had ever given him occasion of displeasure on any question, except it were his attachment to other women, and his disobedience to the late king. He replied that he had found her a loving and dutiful consort, had no charge to make against her as wife, mother, or subject, and had been frequently advised by her to pay greater deference than he had done to the commands of his deceased father.[1]

July 14. After their departure the unfortunate prisoner continued to delude himself with the hope of saving his life, and spent the night in devising plans to move the pity, or subdue the resolution of the king. In the morning he despatched letters or messages to James,[2] to the queen regnant, to the queen dowager, and to the lords Annandale, Dover, Tyrconnel, and Arundell. He offered to profess himself a Catholic; he solicited a second interview with the king; he prayed at least for a respite of a few days; a petition which might naturally arise from his love of life, but which was attributed to his faith in the prediction of an astrologer, that if he should survive the feast of St. Swithin (the next day), he should live afterwards many years.

[1] See the account of this interview in the Buccleugh MS. published by Mr. Rose, App. p. 65. From its contents I collect that the object of the duchess was such as I have represented it in the text. Barillon says that their language was "assez aigre de part "et autre, et qu'il ne lui parla qu'avec dédain" (Barillon, 26 Juillet; Dalrymple, 168); expressions much too strong, if their conversation has been faithfully recorded in the MS. Evelyn (Diary, iii. 167) and Burnet (iii. 50) say that they treated each other coldly. See also Reresby, 213, and Life of James, ii. 37, in which we are told that when he first heard of the wish of the duchess to see him, he disowned her, instead of saying that she might be introduced.

[2] The letter to the king has been published by Mr. Ellis, first series, iii. 346.

But these efforts were fruitless. Lord Feversham came, indeed, to receive his communication for the king; but it proved a mere repetition of his discourse of the preceding day, and the bishops of Ely and Bath and Wells soon afterwards arrived to prepare him for death on the following morning.[1] At the announcement he seemed lost in an agony of terror; but the struggle was quickly over; the very absence of hope restored the serenity of his mind; and from that moment he was able to look death in the face with an air of composure which assumed almost the appearance of indifference.

It was not long before the two prelates discovered that they had undertaken no very grateful task. Monmouth had imbibed opinions which shocked their orthodoxy, and adhered to them with a pertinacity which embarrassed their zeal. They considered the profession of the doctrine of passive obedience an indispensable test of adhesion to the church of England: he strenuously maintained the lawfulness of resistance to authority in cases of oppression. They looked upon him as guilty of the sin of rebellion, and responsible for the blood which had been shed in his quarrel; he denied that there was anything sinful in the attempt, though he should certainly feel regret if it had occa-

[1] Burnet, iii. 51. James (Memoirs), ii. 40. Reresby, 213. "My uncle," says Lord Dartmouth, "showed me several charms "that were tied about him when he was taken; and his table-book "was full of astrological figures, which nobody could understand. "He told my uncle that they had been given him some years be-"fore in Scotland, but said he now found they were but foolish "conceits."—Burnet, iii. 51, note. Barillon says that, in the book, il y avoit des secrets de magie et d'enchantment avec des chansons, des recettes pour des maladies, et des prieres.—Mazure, ii. 9. Barillon, 26 Juillet. The charms were supposed to have the power of opening the doors of a prison, and of curing the wounds received in battle.—Reresby, ibid.

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sioned the loss of a single soul among the men who perished on his account. They called on him to repent of his adulterous connection with Lady Harriet Wentworth: he replied that his union with that lady (though she had already borne him a child [1]) was innocent in the sight of Heaven. He had, indeed, married the heiress of Buccleugh; but he was then too young to understand the nature of the contract; and the consequence of this premature union was, that for several years he indulged without restraint in every vicious gratification. At length he saw the Lady Harriet. He loved, and was loved by her: both prayed that God would root out this mutual affection, if it were displeasing to him. But it continued to grow: its growth was to them a proof of the Divine approbation; and from that moment he sought by prayer and fasting to obtain the mastery over his passions, and carefully abstained from all commerce with other women. The Lady Harriet was his real, the duchess of Monmouth nothing more than his legal, wife. Unable to convince him of his error, they refused to administer the sacrament, and with difficulty obtained from him a promise to recommend the matter to God during the night, and to pray that his mind might be enlightened by the Holy Spirit.

July 15. The next morning he was visited at his request, and with the royal permission, by Dr. Hooper, afterwards bishop of Bath and Wells, and by Dr. Tennison, afterwards archbishop of Canterbury. These divines concurred in doctrine with the two prelates; but Monmouth had prayed: no change of sentiment followed his prayer; and on that account he was more confirmed in his former opinions. His children by the

[1] "Dont il a un enfant."—Barillon, 26 Juillet.

duchess, who for precaution had been sent to the Tower when their father took the title of king,[1] were now introduced, and were followed by that lady herself, whom he received with a greater show of kindness than on her former visit. He repeated what he had previously said in her praise, acknowledged that for the last year she had held no correspondence with him even by letter, and begged her to forgive his failings, and continue her kindness to their children. At these words she sunk to the ground, embraced his knees, and requested him to pardon her, if she had given him just cause of offence. But her frame was too delicate to support the poignancy of her feelings, and she was carried away senseless, in the arms of her attendants. "Noe bystanders," says the author of the Narrative, "could see this, the mourningest scene in "the world, without melting in tears: he (Monmouth) "did not show the least concernedness."

At ten the prisoner was conducted to the place of execution on Tower Hill. On the scaffold his reverend and right reverend assistants renewed their exhortations with an importunity, which, though it arose from a sense of duty, appeared to many to savour of hard-heartedness. They extorted from him an acknowledgment of sorrow for the blood which had been shed, and prevailed on him after some demur to utter a tardy and reluctant *amen* to the prayer for the king; but on the two other subjects, the doctrine of non-resistance, and the lawfulness of his connection with Harriet Wentworth, he retained his former opinion. The only speech which he had prepared was in defence

[1] It has sometimes been said that the duchess was confined with her children. But she went there voluntarily, to take care of them. "Madame de Monmouth a voulu les y suivre."—Barillon, 23 Juillet.

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of that lady. He declared that she was "a woman of "virtue and honour, a virtuous and godly woman; "that he had committed no sin with her, and that "what had passed between them was honest and "innocent in the sight of God." While he was preparing himself for the block, the four divines prayed, but in terms which indicated their opinion of his spiritual blindness, "that God would accept his re-"pentance—his imperfect repentance—his general re-"pentance." But Monmouth was still unmoved. He had already told them that he repented of whatever evil he had committed; that God had forgiven him his sins; and that he should die with cheerfulness and like a lamb, not because he was naturally without fear, but because he felt within him a supernatural assurance that he was ascending to heaven.

There is something most appalling in the conclusion of this tragedy. Monmouth warned the headsman not to mangle him, as he had mangled Lord Russell; and the very admonition seems to have unnerved the man for the execution of his task. He took his aim so unskilfully, or struck so feebly, that he inflicted but a slight gash, and the sufferer, raising his body from the block, turned his head to the left side, as if he meant to complain. After two more strokes, life seemed to be extinct, and the executioner, alarmed at his own bloody work, threw down the axe, asserting with an oath that his heart failed him, and that he would do no more. But the sheriffs compelled him to resume the implement of death, and at the fifth blow he severed the head from the body.[1]

[1] See for all these particulars the Buccleugh MS. in Rose, App. 65; Account of the execution of the duke of Monmouth, signed by the four divines and the sheriffs: Somers' Tracts, Collect. i. vol. i.

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While the leader thus paid the forfeit of his ambition in the capital, his followers in the country were abandoned to the mercy or discretion of the conquerors. Some of the royal commanders displayed their loyalty by the execution of martial law on the rebel prisoners; and of these the most active was Colonel Kirk, a rough soldier from Tangier, of whose wanton and unfeeling barbarity stories were related, which, if true, ought to have rendered him an object of horror to every human being, but which probably were false, since they did not prevent him from being caressed and distinguished by the prince who expelled James from the throne. To such proceedings an end was put by the peremptory order of the king; not that he sought to release the rebels from the consequences of their guilt,—for the danger to which the

p. 216; Letter from Lloyd, bishop of St. Asaph, to Fell, bishop of Oxford, in Hearne's Hemingforde, i. 177; Barillon, 26 Juillet; Reresby, 213; Evelyn, iii. 167; Dalrymple, 135; Gazette, 2052; Echard, 1037; State Trials, xi. 1068—1083. On the scaffold Monmouth delivered to the sheriffs a paper stating that he had taken the title of king through compulsion, and acknowledging that he had been assured of his own illegitimacy by his father; wherefore he prayed that his children might not be made to suffer on account of his offences. That prayer was granted, inasmuch as James restored everything to the family with the exception of the English title; but I question the story of his having called on the duchess the day after the execution, at breakfast, and given her a remission of her husband's forfeiture. It is not noticed by the author of the Buccleugh MS., who wrote his narrative that day, and merely says that the king was exceedingly satisfied with her conduct, and had assured her that he would take care of her and her children; nor by Barillon, who writes on August 3, that she had twice been in company with the king and queen; and it is inconsistent with the proceedings which took place in Scotland respecting the trial and forfeiture of Monmouth on the 21st of December, and the judgment which was pronounced on the 15th of February.—See them in Howell's State Trials, xi. 1023—1067. Barillon, on June 7, 1686, mentions the restoration of the property as having recently occurred (Dalrymple, App. 168); and Clarendon also on June 12 (Clar. Corresp. 444).

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throne and the church had been exposed from the fanatical and republican principles of the insurgents called, in the opinion of many, for a severe and memorable example,[1]—but that he wished the punishment to follow according to due course of law, and after the forms of criminal justice. With this view a commission was appointed, consisting of Jeffreys, who three months before had been raised to the peerage, of Montague, the chief baron, and of three puisne judges.

August 24. On account of the danger to which they might be exposed in the revolted counties, they were accompanied by a strong military escort, the command of which, with the temporary rank of lieutenant-general, was intrusted to Jeffreys; and it was probably this singular union of the military with the judicial character, that induced the wits to give to his progress during the circuit the nickname of "Jeffreys's campaign."[2]

They opened the commission at Winchester, where the only trial connected with Monmouth's invasion

August 27. was that of Alicia Lisle, the relict of him who had been one of the judges of Charles I., a joint commissioner of the great seal, and chief judge of the high court of justice under the commonwealth. The offence with which this aged female was charged offers a sufficient reason why she was called to plead for her life; though some writers have sought it in the revengeful disposition of the Cavaliers, anxious to punish on the widow the sins of her husband, and others in

[1] "Such an inundation of phanatics and men of impious principles "must needs have caused universal disorder, cruelty, injustice, "rapine, sacrilege, and confusion, an unavoidable civil war, and "misery without end."—Evelyn, iii. 169, 170.

[2] James himself gives it this name in two letters to the prince of Orange.—Dalrymple, 165.

the displeasure occasioned by the countenance which she had always given to the doctrines of the "good old cause." After the battle two of the combatants, Nelthorpe, an outlaw on account of the Rye-house plot, and Hicks, an obnoxious nonconformist minister, had found an asylum in her house, and had been denied by her to Colonel Penruddock, who had received information of their concealment. At her trial she put to the court this very pertinent question, whether she could be convicted of harbouring a traitor before the person so harboured had himself been convicted of treason; and, when Jeffreys overruled the objection, on the ground that it was sufficient to prove that she had been cognizant of the treason,[1] she maintained that of Nelthorpe she knew nothing, as she had not even heard his name, and Hicks she had received under the supposition that a warrant was issued against him for some breach of the Conventicle Act. That this excuse was in truth a mere pretence must be evident to any one who attends to the unwilling testimony of the witnesses; but the jury, consisting of some of the first commoners in the county, sought to give her the benefit of the least doubt, and inquired of the court if there were sufficient proof of her knowledge that Hicks had been in the rebel army. Jeffreys in strong language expressed his surprise at such a question. They might, indeed, doubt, and of the fact they were the judges; but for his own part he thought the proof as strong as proof could be.[2] The

[1] This was contrary to the doctrine of Hale, that such person should not be tried on a separate indictment till the principal was convicted, because the receiver is so far an accessary, that he cannot be guilty if the principal be innocent.—State Trials, xi. 371, note.

[2] Burnet's account of the trial abounds with inaccuracies. Giving credit to the public prints (Coke, ii. 339), he tells us that the jury

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unfortunate woman was found guilty; and James, to those who solicited him in her favour, replied that he could do nothing, that he had left the case in the hands of the chief justice. He substituted, however, decapitation for the legal punishment of burning; a mitigation of the judgment which his opponents have termed an usurpation of power contrary to law, as if our princes had not always exercised that power, on the ground that he who may lawfully remit the whole punishment by a pardon, may at his discretion commute it for another infliction less painful or less infamous.[1]

Sept. 10 to 23.

From Winchester the court proceeded through Salisbury to Dorchester, Exeter, Taunton, Bristol, and

returned twice a verdict of not guilty, and were at last compelled to return a verdict of guilty by a threat of attaint from the judge; but of these three verdicts there appears no notice either in the printed trial, or in the paper which Mrs. Lisle delivered to the sheriffs at her death. Moreover, if we may believe him, Jeffreys "affirmed to the "jury on his honour that the persons had confessed that they had "been with the duke, which was the turning a witness against "her."—Burnet, iii. 60. But this is a representation calculated to mislead the reader. After a long and most severe examination, accompanied with threats and adjurations, Jeffreys had extracted the truth from a prevaricating witness, and an acknowledgment that the first part of his testimony was false. The judge then, to account for what must have appeared extraordinary in his own conduct, observed, that it proceeded from his knowledge that the witness was perjured, because Nelthorpe himself, one of the parties, had privately confessed to him all the circumstances. Aware, however, that in making this remark he had gone too far, he added that he "would "not mention any such thing as any piece of evidence to influence "the case, but he could not but tremble to think, after what he "knew, that any man should dare so much to prevaricate with "God and man, as to tell such horrid lies in the face of the court." —State Trials, xi. 355.

[1] At the revolution the attainder of this lady was reversed, together with several others, for two reasons; because Hicks, the principal, at the time of her trial had not been convicted, and because the verdict of the jury had been extorted "by the menaces, "and violences, and other illegal practices of the judge."—State Trials, xi. 381.

Wells, in each of which places a multitude of prisoners awaited their doom from the mouth of their stern and inexorable judge.[1] That they had forfeited their lives by the laws of their country cannot be denied; and that many among them were incorrigible enthusiasts, who publicly avowed the righteousness of their cause, and their readiness to renew the attempt, is also true; yet the demands of justice might surely have been satisfied, and a salutary example have been made, without that deluge of blood so unsparingly poured out by Jeffreys and his associates. All who at their trials were convicted, suffered in the course of twenty-four hours: the great majority, who pleaded guilty, were gratified with a short reprieve, during which they made with different success applications for mercy. Out of the whole number some were pardoned; many whipped and imprisoned; above eight hundred given to different persons to be transported for ten years to the West Indies; and three hundred and thirty executed as felons and traitors. The chief justice seems to have taken for a precedent the sanguinary conduct of those who in the reign of Elizabeth punished the northern insurgents; and like them he permitted no town or hamlet in the rebellious district to escape, without the useful lesson to be derived from the execution of some of the guilty. Many instances are also related of the indecent haste with which he consigned his fellow-creatures to the gallows, and of the sarcastic levity with which he stung the feelings of those who interceded in their favour; but these tales, though perhaps not abhorrent to the disposition of

[1] In a letter to Sunderland (Sept. 10) he states that he had "dispatched," that is, tried, ninety-eight on that day.—App. to Mackintosh, 685.

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the man, depend for their credit on the veracity of those whose hatred he had deservedly earned by his cruelty, and who gratified their revenge by heaping disgrace on his character. There is better evidence to show that his zeal to punish the wrong done to the king did not withdraw his attention from his own interest; and that during the circuit he amassed a considerable sum of money, probably by the sale of his friendship and protection.[1]

The reader, however, should be cautioned not to form his judgment of these proceedings from the mild and orderly administration of criminal justice in more modern times. In former ages severity of punishment was the leading principle. Our ancestors cared little for the sufferings of the victim: their object was to intimidate the evil-disposed, to make the fate of the offender an awful lesson to those who might be inclined to follow his example. 1. Thus, at the close of the northern rebellion in the reign of Queen Elizabeth, we find the earl of Sussex, the commander-in-chief, promising that "six or seven hundred at least "should be executed of the common sort, *besides the prisoners taken in the field:*" nor did he hesitate to redeem this promise; for in a district sixty miles in length and forty in breadth he did not permit a town or hamlet to escape without furnishing its quota of victims to the gallows, there to hang in chains as a

[1] From the parliamentary inquiry instituted in the next reign it appears that he was paid one thousand four hundred and sixteen pounds ten shillings by the crown solicitors, Graham and Burton. It is also stated that he extorted fourteen thousand five hundred pounds from Mr. Prideaux, to save him from prosecution.—Com. Journ. 1 May, 1689. When, however, a bill was introduced after the revolution to recover that sum out of his estates, it was defeated chiefly by the influence of Pollexfen, the lord chief justice, one of his trustees.—See Memoirs of Judge Jeffreys, 238.

warning to their fellows and survivors.[1] 2. When the offence was not capital by law, whipping had been from the earliest times the usual punishment; whipping of men at the cart's tail, of women sitting in the cart, bound by the wrists to an upright post in the front part of the seat. Such whippings were on many occasions of extreme severity, and occurred frequently in the metropolis, and in large towns and populous districts. 3. With respect to prisoners made in the field, it was argued that to them, as they might lawfully have been put to death on the spot, any fate short of death must be considered a favour: hence they were often transferred by gift or sale to others, who employed them as slaves, or by cruel treatment extorted from them or their relatives exorbitant ransoms. Afterwards, when colonies had been established in the West India islands, these unhappy men were generally sold for a high price to the planters, to serve them as slaves during life, or for a certain term of years. 4. There was another species of gift which to us, with our present notions, will appear equally indefensible,—that by which delinquents were granted to favoured individuals, that the latter might recover for their own profit the fines to which the others had become liable by their delinquency. 5. In addition scarcely a year passed in which some were not burnt at the stake for the capital offence of high or petty treason. These instances certainly form no justification of the atrocities attributed to Kirk and Jeffreys; but they show that the practices mentioned above, if carried into execution by them, should not be described as innovations never heard of before, nor as refinements of vengeance and cruelty now introduced for the first

[1] See vol. vi. p. 217.

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time. They were of ancient date, and had been in use for centuries, without exciting any question of their legality, either under preceding kings, or even, I believe, during the commonwealth.

But if Kirk and Jeffreys executed their task with a vigour far beyond that which the circumstances required, where are we to look for the cause of their severity? To the personal character of the agents, or to the express order of the sovereign? On the one hand, if we may believe Burnet, James received daily accounts of the proceedings, and spoke of them in terms of satisfaction both at his table and in the drawing-room; and Speaker Onslow informs us that Jeffreys on his deathbed declared to Dr. Scot, who attended him, that "what he did, he did by express orders, and "that he was not half bloody enough for the prince "who sent him thither." But Burnet was not in England at the time; he derived his information from Dykvelt, the Dutch ambassador, a known enemy to the king:[1] and Onslow's testimony is no better than a traditionary tale received by him at the fourth hand from the original narrator.[2] On the other side, a witness who had the means of knowing the truth, the earl of Mulgrave, afterwards duke of Normanby and Buckingham, assures us that James "compassionated "his enemies so much, as never to forgive Jeffreys in "executing such multitudes of them in the west, con-"trary to his express orders;"[3] and we are moreover

[1] Burnet, iii. 56.

[2] Onslow received it from Jekyl, Jekyl from Lord Somers, and Lord Somers from Dr. Scot.—Ibid. 61, note.

[3] Accounts of the Revolution, amidst the Castrations in his Works, ii. p. xi. I do not think that this is contradicted by the expression in Sunderland's letter to Jeffreys, "that the king approved "entirely of all his proceedings of which he had given an account "in his letter" (Mackintosh, App. 685); for that account was

told that when Bishop Kenn and Sir Thomas Cutler, the commanding officer at Wells, solicited mercy for some of the convicts, the king not only granted their request cheerfully, but afterwards meeting Sir Thomas thanked him for his intercession, and expressed a wish that others had imitated his humanity.[1] CHAP. II. A.D. 1685.

James was now triumphant over his enemies; and this very circumstance, which seemed to have established his throne, mainly contributed to its downfall, by inspiring him with an erroneous notion of his own security, and teaching him to despise the murmurs and opposition of his subjects. During the last session of parliament he had obtained, what he could hardly expect, an augmented income for life: in the next he hoped to accomplish three things on which he had set his heart,—the establishment of a standing army, the employment of Catholic officers, and a modification of the Habeas Corpus Act. 1. In common with his late brother he had always considered a king without an army as possessing little more than the name of a sovereign; and therefore viewed with regret the disbanding of the numerous force which had been raised by Charles to oppose the encroachments of Louis in Flanders. On the landing of Monmouth he found himself compelled to intrust the defence of the throne to the militia of the neighbouring counties. Experience showed the utter inefficiency of this species of force. For several weeks, as the reader has seen, the invaders traversed the country at their pleasure; and there is little doubt that, had they brought with them a body of regular troops, or had their partisans risen

given as early as the day after he opened the court at Dorchester, and of course refers only to his conduct before that period.

[1] Burnet, ii. 62, note. See also Life of James, ii. 43—45.

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simultaneously in several places, the attempt would have led to a protracted contest, if not to a very different result. James was thus confirmed in his former opinion. During the danger he gave out commissions for the levy of new regiments, till he raised the army to the amount of fourteen thousand men;[1] and now he was resolved to keep the whole force embodied, with, as he hoped, the approbation of parliament. 2. Among the officers who had obtained command in the new levies were several Catholics, men who had faithfully served the crown on former occasions, and on whose fidelity the king relied the more firmly, because they professed the same religion with himself. But by law they were not only incapable of holding any commission in the army, but also liable to penalties for the part which they had taken in the suppression of the rebellion. James determined to shelter them from prosecution, to retain them in their respective offices, and even to procure the repeal of the Test Act, of which, though he himself had been the object, they had become the victims. 3. The statute of the 31st of Charles II., which enforced and improved the writ of habeas corpus, was not less objectionable in the royal estimation than the Test Act itself. It abridged the right formerly claimed by the crown of retaining suspected persons in custody; and though its beneficial effects had been repeatedly experienced by the friends of the monarch, yet in the committals on account of the Rye-house plot and of Monmouth's

[1] According to Barillon (6 Août, 1685), to fifteen thousand foot, three thousand horse, and one thousand dragoons. "Thus," says Lord Lonsdale, "my Lord Russell plott ffirst made the king, when "duke, popular; and Monmouth's rebellion gave occasion for rais-"ing an armie which continues to this day."—Lonsdale's Memoir, p. 13.

invasion, it had furnished many, whom James believed criminal, with the means of obtaining their discharge, before legal evidence of their guilt could be collected. On this account the king declared that till some alteration should be effected in that act, the government was left without the arms necessary for its own protection.[1]

It was not to be expected that on these three questions all the members of the cabinet should coincide in opinion with the sovereign. The example of foreign nations showed that the establishment of a standing army generally led to the introduction of despotism; and it was argued that the two acts, the objects of his aversion, were the chief bulwarks of religion and liberty; that, if the test were abolished, the church could not stand under a Catholic monarch, and that, if the writ of habeas corpus were taken away, the rights of the people might be trampled under foot at the pleasure of any prince who should chance to sit on the throne. Such had long been the avowed sentiments of the marquess of Halifax, lord president of the council, and such, though more warily expressed, were the real opinions of the earl of Rochester, who, whatever might be his attachment to the doctrines, sought like his father to be looked up to as the patron, of the church.[2] But James, who did not approve the temporizing policy of his brother, had laid it down for a maxim, that it was folly in a sovereign to allow any man to remain in office who

[1] Barillon, in Fox, App. 127. Dalrymple, 166, 170. 177. "Le "feu roi d'A. et celui-ci m'ont souvent dit, qu'un gouvernment ne "peut subsister avec une telle loi" (d'habeas corpus).—Barillon, 10 Dec.

[2] North, the lord keeper, was also of the same party (Barillon, 2 Août), but died on the 5th of September.

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would employ the influence of office to thwart the measures of government. After a decent interval he removed Halifax from the council, with expressions, indeed, of regard and kindness, but for reasons which he deemed it expedient to keep locked up within his own breast. Those reasons, however, were not unknown, and operated as a useful admonition to Rochester, who, unwilling to promote the objects sought by the king, but equally unwilling to forfeit the emoluments of office, indulged the delusive hope of retaining the royal favour by his passive acquiescence in the royal measures. But his conduct was watched, and his views were penetrated by the subtle and insinuating Sunderland, who, to ingratiate himself with the king, warmly advocated all the projects of James; and, to prejudice his rival, as warmly complained that the resistance to those projects was caused or encouraged, if not by the intrigues, at least by the known hostility of the lord treasurer. By the expectants of place and emolument it was soon perceived that Rochester declined daily in influence, while Sunderland slowly but steadily crept up to the eminence still occupied by that minister.[1]

The same diversity of opinion which existed in the council prevailed among the leading Catholics. Of the immediate advantage to be derived by them from the repeal of the Test Act, no one could doubt; yet many, aware that the spirit of discontent was stirring, deprecated any alteration which might afterwards provoke a reaction. They deemed it imprudent to risk the tranquillity which they enjoyed, for the pursuit of a greater but uncertain benefit, and were content to

[1] Barillon, ibid. 127, 130, 143, et lettres du 22 Oct., 1 Nov. Dalrymple, 173. Reresby, 214, 217, 223.

submit to the privations imposed by the laws, provided they might be relieved from the penal and sanguinary statutes prohibiting even the private exercise of their worship. But those among them who possessed the confidence of James and formed the board at Sunderland's office concurred in opinion with that minister. They conjured the king not to forfeit by procrastination the present opportuuity: this was the time to demand the consent of the two houses to his three favourite measures; his enemies lay prostrate at his feet; and no man would have the boldness to dispute his pleasure.[1] CHAP. II. A.D. 1685.

By the king's command the two houses had adjourned from July 2 to Nov. 9. Now as the time for the meeting of parliament approached, the minds of men became daily more and more agitated. During the rebellion the levy of forces and the appointment of Catholic officers created no great alarm,—the urgency of the case supplied a sufficient justification,—but months had now passed since the battle of Sedgemoor, and the army was still kept up to its former complement. It began to be rumoured that the king cherished designs against the liberties of the country, and it was soon known that he proposed to accomplish the repeal of the two acts. By a strange fatality it chanced that at this moment of suspense and disquietude the king of France revoked the edict of Nantes, and numbers of French Protestants sought an Oct. 12.

[1] Les Catholiques (says Barillon) ne sont pas tout à fait d'accord entre eux. Les plus habiles, et ceux qui ont le plus de part à la confiance du roi, connoissent bien que la conjuncture est la plus favourable qu'on puisse espérer, et que si on la laisse échapper, elle pourra bien n'être de long temps si avantageuse. Les jésuits sont de ce sentiment, qui sans doute est le plus raisonable; mais les Catholiques riches et établis craignent l'avenir, et apprehendent un retour, qui les ruineroit, &c.—Barillon, ibid. 135.

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asylum in England from the persecution which they suffered in their own country.[1] The jealousy, which already existed, was instantly blown into a flame; and the press and the pulpit concurred in pouring out invectives in every shape against the intolerant spirit of popery. It was to no purpose that James laboured to allay the ferment; that he openly declared his disapprobation of every species of religious persecution, and that he promoted with all his influence the measures devised for the relief of the refugees. His sincerity was questioned; the belief of a secret understanding between him and Louis prevailed; and the people everywhere called on their representatives to rally in defence of the religion and the liberties of the country.[2]

Nov. 9.

On the appointed day the king opened the session with a speech from the throne. Having congratulated the two houses on the restoration of domestic tranquillity, he called their attention to the conduct of the militia during the invasion, which had revealed to the world how little reliance could be placed on the resistance of that force to the progress of a foreign and enterprising enemy. On this account he had deemed it necessary for the safety of the nation and the stability of the government to augment the regular army, and he now called on parliament to provide the means of defraying the additional expense. He was aware that some persons bore commissions in that army who were not qualified by law. But they were

[1] One of the objects of the mission of Bonrepaus to England was to induce the refugees to return to France. It appears from his letter of the 5th of May, 1686, that the whole number amounted to about four thousand five hundred, out of whom he prevailed on five hundred and nine to return to their native country.

[2] Barillon, ibid. 132, 135. Burnet, iii. 81.

for the most part personally known to him, and on many occasions had given convincing proofs of their loyalty. "And," he added, "to deal plainly with you, "after having had the benefit of their services in the "time of danger, I will neither expose them to dis- "grace, nor myself to the want of their assistance, "should a second rebellion make it necessary." In conclusion he expressed a hope that this matter would produce no dissension between him and the two houses; and promised that, if they were only steady and loyal to him, he would make them the best return in his power, and venture his life in the defence of their interests.[1] CHAP. II. A.D. 1685.

The House of Lords returned an address of thanks; the House of Commons resolved to consider the speech by paragraphs. The leaders of the court party were the two secretaries, Lord Middleton, and Sir Richard Graham, lately created Viscount Preston of Scotland; of the opposition, Seymour, Clarges, Twisden, and Maynard, men of considerable weight, and long parliamentary experience. On the first division the latter obtained the majority by a single vote; in a day or two they held at command a majority of thirty or forty voices. 1. The house resolved to grant a supply, but at the same time, that they might mark their disapprobation of the measure suggested by the king, accompanied it with a bill for the improvement of the militia. 2. Instead of assenting to his proposal in favour of the Catholic officers, they promised to relieve them from the penalties by a bill of indemnity, and presented an address, praying that, since to keep them in employment was to dispense with the law without authority of parliament, he would give such orders Nov. 13. Nov. 16.

[1] Com. Journ. Nov. 9.

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for their discharge as might remove all apprehension and jealousy from the hearts of his faithful subjects.

3. Having thus signified their wishes, they proceeded to the amount of the supply. The ministers had asked for twelve, their opponents offered four, the house voted seven hundred thousand pounds. But this sum was in reality held out as a lure to the king, the more tempting because, being unappropriated to any particular object, it might be applied by him as he pleased. James, however, was not a thoughtless, penurious spendthrift, like his brother. His economy was equivalent to an augmentation of revenue; and he resolved to sacrifice the money rather than yield to the discharge of the

Nov. 17. officers. Sending for the Commons, he declared to them, in a tone which marked his displeasure more strongly than his words, that he was surprised at their address; that he had already warned them against the evils which might spring from jealousy and dissension; and that he had hitherto persuaded himself that his character for sincerity was a sufficient motive for confidence in his word. However, their jealousy did not make him repent of the promises which he had given, nor would he ever be provoked to break them, ill as he might be treated by the suspicious temper of that house.

Nov. 18. The next morning, as soon as this speech had been read, Mr. Coke exclaimed, "I hope we are English-"men, and not to be frightened from our duty by "a few high words." But the house, looking on his language as disrespectful to the king, sent him, on the motion of Lord Preston, to the Tower; for it was the advice of the leaders to pursue their plan steadily but warily; to maintain at all events the inviolability of

the Test Act, but at the same time to avoid every unnecessary cause of offence.[1]

At length the spirit displayed by the Commons awakened a similar spirit among the Lords. The praise of originating the question was seized by the marquess of Winchester, who called the attention of the house to the illegal employment of Catholic officers in the army, and was warmly supported by the lords Anglesey, Halifax, Nottingham, and Mordaunt, and by no one with more effect than by Compton, bishop of London, who stated that he spoke the united sentiments of the episcopal bench, when he pronounced the Test Act the chief security of the established church. The ministers, with the exception of Jeffreys, offered but a faint and doubtful resistance, and it was ordered that the house should be summoned for the following Monday to take the king's speech into consideration. James, who, like his brother, attended daily, listened to the debate with feelings of vexation and disappointment. He saw the strong opposition which was arrayed against him, and perceived that many of his dependants, even while they spoke in his favour, hoped for his defeat. But it was not in his disposition to yield: whether it were firmness of mind as his flatterers called it, or obstinacy as it was termed by his enemies, he usually pursued his object with the greater ardour in proportion to the number of obstacles thrown in his way; and now, instead of conceding to the ascertained opinion of the two houses, he suddenly prorogued the parliament to the 10th of Febru- Nov. 19. Nov. 20.

[1] C. Journ. Nov. 12, 13, 16, 17, 18, 20. Barillon in Fox, 129, 141, 146. Reresby, 215, 220. Burnet, iii. 85. Dalrymple, 172. Parl. Hist. 1367, 1386.

CHAP. II. A.D. 1685.

ary, with the secret resolution of accomplishing by his dispensing power that object which he was not permitted to effect constitutionally with the consent of the Lords and Commons.[1]

On the suppression of the rebellion, the vengeance of the law had fallen chiefly on the insurgents actually in arms: after the prorogation several persons of higher rank, the suspected, though not avowed, associates of Monmouth, were called upon to establish their innocence. 1. Of these the first was Lord Brandon. During the summer Lord Grey, the companion of Monmouth in his flight, had betrayed a disposition to make disclosures; the manner in which the overture was accepted encouraged him to proceed; and he sent to the king in writing a detailed narrative of the Rye-house plot in the reign of Charles, and of the recent rebellions of Argyle and Monmouth. There might be reason to doubt the accuracy of his statements; for his moral character did not stand very high, on account of the seduction by him of his sister-in-law, the lady Henrietta Berkeley, and he would naturally be tempted to merit the royal favour by removing the blame from his own shoulders to those of his accomplices: yet his testimony must have been substantially correct, since it was not only not publicly called in question after the revolution, but he himself was created by King William earl of Tankerville, and appointed lord privy seal and first lord of the Admiralty. James was satisfied with his narrative. Grey received a pardon; and being now a legal witness, was

Nov. 12.

[1] L. Journ. xiv. 88. Barillon, 29 Nov., 3 Dec. Reresby, 220, 222. Burnet, iii. 85. Rochester had advised the king to purchase votes; but he replied that he had learned the folly of such policy in his brother's reign; when every man who wished to be bought, opposed the court, till he received his price.—Barillon, Dec. 13.

sworn at the trial of Lord Brandon, and repeated in the presence of the court the substance of his previous confession. Notwithstanding the odium which naturally attaches to the man who impeaches his associates, the jury gave credit to his testimony, and the prisoner received judgment of death, but afterwards, on the confession of his guilt, obtained a pardon through the influence of Mason, his wife's sister, and one, it was said, of the king's mistresses.[1] 2. The next person arraigned at the bar was Hampden, not for any participation in the late attempt of Monmouth (for he had been two years in confinement), but for his share in the Rye-house plot. To his plea that he had been already tried for that offence, it was answered, that in the first instance there appeared but one witness against him, and he was therefore charged only with a misdemeanour: now a second, the Lord Grey, would be produced, and he was therefore charged with a different offence, that of high treason. The prisoner, aware of the consequences, preferred to plead guilty, and throw himself on the royal mercy. He was reprieved, a pardon followed; and the court, in obedience to the king's writ, reversed the outlawry.[2] 3. The Lord Delamere, the son of the celebrated Sir George Booth, was arraigned before Jeffreys, who had lately been appointed lord chancellor,[3] and now sat as lord

CHAP. II. A.D. 1685. Nov. 26.

1686.

Jan. 14.

[1] Bar. 10 Sept., 6, 22 Nov., 13 Dec. Dalr. 173. Bonrepaus, 7 Août. State Trials, xi. 1091, note. This was Lord Brandon's second escape; for he had been condemned for murder, but pardoned in the last reign.—Reresby, 222.

[2] If we may believe Hampden, in his answer to the House of Lords after the revolution, "his friends offered six thousand pounds for "his pardon to some in power, who were the Lord Jeffreys and Mr. "Petre. This was effectual. He pleaded guilty, and obtained his "pardon."—L. Journ. xiv. 379. He died by suicide in 1696.

[3] The lord keeper died Sept. 5. The next day the great seal was delivered to the king, "who went immediately to council, everybody

CHAP. II. A.D. 1686. high steward, with twenty-seven peers as his assessors. Delamere's objection to the jurisdiction of the court, and his claim to be tried in parliament, were overruled; but there appeared against him only one positive witness, whose prevarication was too evident to be concealed; and hence, though of his intention to rise in support of Monmouth no doubt could exist, he obtained an unanimous acquittal. James, who watched the proceedings, concurred in the propriety of the verdict; but declared that Saxton, the witness, who, to save his own life, had offered himself as an informer, should suffer the punishment both of his perjury and his treason. Of this threat the first part was put Feb. 8. in execution. Saxton, having been convicted, stood thrice in the pillory, was twice publicly whipped, and then committed to prison till he should pay a fine of three hundred marks.[1] 4. The earl of Stamford was equally fortunate with his associate Lord Delamere. A day had been appointed for his trial in parliament: it was postponed by the prorogation, and the king consented that he should take the benefit of an act of am- March 10. nesty which was published in the spring,[2] an amnesty, however, which contained a great number of exceptions, among which the most singular was that of the girls who presented the bible and sword to Monmouth at Taunton; not that it was intended to bring them to punishment, but to make the parents, the real delinquents, pay for the disloyal office which they had im-

"guessing who was most likely to succeed this great officer; most "believing it could be no other than my Lord Chief Justice Jef- "feries."—Evelyn, iii. 173. See also Barillon, 17 Sept. James wrote to him to expedite the business of the circuit, and gave him the appointment on Sept. 28.

[1] State Trials, xi. 509, 600. Dalrymple, 166. Ellis Cor. i. 16, 22.

[2] Gazette, 2120.

posed on their children. For the pardon of each a fine was required proportionate to the circumstances of the parent, and the whole sum was divided among the queen's maids of honour.[1] CHAP. II. A.D. 1686.

In the meantime, the diversity of opinion, which prevailed in the council before the last session of parliament, had led to the formation of two hostile parties at court under the rival statesmen Rochester and Sunderland. Rochester still held the first place in the administration: his attachment to James in the time of adversity gave him a strong claim on the gratitude of the monarch; and his interest was supported by the duke of Ormond, the lords Feversham, Dartmouth, Middleton, and Preston, by the majority of the episcopal bench, by the envoys of all the powers hostile to the ambitious projects of Louis XIV., by the moderate party among the Roman Catholics, who promised themselves more real benefit from his connivance than from the interested zeal of his competitor, and (which may surprise the reader) in some measure by Adda, the papal representative, who, though he took no prominent part in politics, secretly sought and followed the counsels of the Spanish ambassador, the friend of Rochester. On the other hand, Sunderland, aware of the offence which he had given in the late reign, laboured to atone for his past misdeeds by a blind devotion to the pleasure of the sovereign. Among the Protestants he was assured of the hearty co-operation of Jeffreys, and he indulged a persuasion that he might also rely on the more doubtful support of Lord Godolphin; but his principal hope of success was in the influence of Father Petre, of the queen-dowager, and of the ultra-Catholics, whom he 1685.

[1] See Memoirs of the Life of Judge Jeffreys, 215.

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had bound to his interests by constantly putting himself forward as their devoted friend and champion. In point of rank and patronage a secretary of state was indeed no match for a lord high treasurer; but Sunderland did not despair of obtaining the staff on some future occasion, and, as an intermediate step, attempted to add to the office which he held, that of president of the council. On the removal of Halifax, he asked it of the king, and met with a refusal. He next employed the good offices of Jeffreys, but Jeffreys proved equally unsuccessful. As a last resource Petre was brought forward, to represent to James that it was as much his interest to reward the man who seconded his views in favour of the Catholics, as to disgrace *him* by whom they had been thwarted. His reasoning or importunity prevailed: after the prorogation Sunderland, without resigning the secretaryship, took his place as president of the council; and this promotion was hailed by his dependants as a proof of increasing interest with the king, though it still remained a problem with many which of the rival ministers would ultimately prevail.[1]

1686. March 16.

It seems never to have entered into the minds of statesmen at this period, that it might be a duty to resign office, rather than lend the sanction of their names to measures which they condemned. Their oath bound them to express their opinion in council: when this was done, they conceived that they had

[1] See Barillon, 1, 5, 26 Nov., 17 Dec.; Fox, App. 127, 130, 144. Though Barillon foretold that his friend Sunderland would be successful, yet Bonrepaus, the other French agent, was as confident of the triumph of Rochester. As late as March 28, 1686, he writes:—"Je n'ai pas une si grande idée du credit de myl. "Sunderland, et je juge toujours qu'il y a plus de solidité dans la "fortune de myl. Rochester."

discharged their consciences; and it only remained for them to expiate their presumption in differing from the sovereign by their humble submission to the royal will. Hence the two leaders continued to act together in the cabinet, though guided by opposite views, and pursuing opposite interests. On the one hand, Rochester and his friends allowed no opportunity to escape them of diverting the king from his favourite plans in behalf of the Roman Catholics. They conjured him not to alienate the affections of his people by the pursuit of measures repugnant to their prepossessions and their feelings. Rather let him attach them to himself by entering into treaties with foreign princes, for the purpose of establishing a balance of power in Europe, and of restraining within its ancient limits the overwhelming preponderance of France. This would raise him to a higher degree of importance and reputation than had fallen to the lot of any among his predecessors; this would restore harmony between him and his parliament; this would enable him to obtain from the gratitude of his people much that he could not now accomplish without risk both to himself and the objects of his favour. On the other hand it was the study of Sunderland and the ultra-Catholics to watch and defeat the manœuvres of their opponents. They constantly reminded James that if ever he suffered himself to be drawn into a war, from that moment he would become dependent on the good pleasure of his parliament. The present was a favourable opportunity of rescuing the Catholics from oppression. If he listened to the advice of their enemies, he would forfeit it, and probably for ever. On the contrary, he had only to preserve peace abroad, and he might give the law at home; to keep himself from dependence

CHAP. II. A.D. 1686.

on parliament, and the parliament would at last fall into dependence upon him.[1]

Much as James had set his heart on the relief of his Catholic subjects, there were times when he seemed disposed to follow the opposite advice of Rochester, induced by his ambition of military fame, and his impatience under the superiority assumed by the French monarch.[2] Of this Louis himself was aware. From the first he doubted the sincerity of the attachment which the English prince professed for him to Barillon, and had not long to wait before this suspicion was

August 17.

fully confirmed. Within six months after his accession James concluded a treaty with the States General,

[1] See Barillon's letters of Nov. 12 and 26, in Fox, App. 135, 143; and his unpublished letters of Nov. 22, Dec. 13, Feb. 7, and Feb. 25. "On n'omet aucun soin, aucun artifice pour engager le roi a tenir "une conduite moins ferme. . . . Les Catholiques sont partagés "entr'eux. Les uns voudroient qu'on se servit de l'occasion pré- "sente . . . les autres craignent l'avenir. . . . Ceux qui ont le "plus de relations à la cour de Rome sont de cet avis . . . si le "roi étoit dans des intérêts opposés à ceux de la France, il auroit "les cœurs du peuple, et de grands secours du parlement. Le "danger de cet avis est connu des Catholiques qui ont le plus de "part à la confiance du roi. . . . Les Jesuites sont joints à ceux- "ci. Les autres attendent beaucoup des ministres du pape. Ce- "pendant, M. d'Adda est circonspect et reservé. . . . Le P. Piters "Jésuite est le plus autorisé. Myl. Arundel, myl. Tirconnell, myl. "Douvres consultent souvant avec myl. Sonderland. C'est par "eux que les principales affaires se dirigent. Le grand trésorier "se renferme dans la fonction de sa charge. Il est regardé comme "le soutien de la religion Protestante auprès du R. d'A. . . . "Il se flatte de pouvoir se conserver dans le post où il est. . . . "Myl. Sonderland va toujours son chemin, et suit aveuglement les "volontés de son maitre. Le chancelier est entirément réuni avec "myl. Sonderland. Myl. Godolphin même paroit agir de concert "avec eux, quoiqu'il ait beaucoup de circonspection. M. d'Adda "craint qu'on n'en fasse trop, et cela lui est inspiré par l'ambassa- "deur d'Espagne, qu'il voit tous les jours. . . ."

[2] "On le croit flatté de l'envie de tenir la balance dans les affaires "de l'Europe, et d'être regardé comme le seul capable de mettre "des bornes à la puissance de votre majesté et à ses desseins."—Barillon, 13 Dec.

which renewed the former treaties between the two powers, and in particular the defensive alliance of 1678. On the receipt of the intelligence, Louis reprimanded the ambassador for his want of vigilance or of foresight; and instructed him to abstain, indeed, from noticing what was past—for it was beneath the dignity of a king of France to complain—but to watch with jealousy the subsequent proceedings of the English cabinet, to prevent by every means in his power the conclusion of similar treaties with other states, and to keep up a secret understanding with some members of parliament, who, in the event of an alliance between James and the enemies of France, might labour to embarrass and defeat the measures of government.[1] It happened that the very circumstance which alarmed Louis encouraged the Spanish ambassador to propose not only a renewal of the last treaty with Spain, but also of the triple alliance against France. All the agents of friendly powers at the British court came forward to his assistance; the adherents of the prince of Orange, the mortal foe of Louis, added their endeavours; and Rochester with his dependants advised and entreated the king to assent. But Barillon was on the watch: against this formidable host he arrayed Sunderland and the ultra-Catholics; and James, after some hesitation, declared his reso-

[1] Barillon, 16, 19 Nov. Fox, App. 136. The object of Louis during the reign of James was the same as it had been during that of Charles, to prevent the king of England from interfering to his prejudice in the affairs of the continent. Hence Barillon was instructed on the one hand to urge James to the adoption of measures in favour of the Catholics, measures which would necessarily embroil him with his Protestant subjects, and on the other to provide a party in parliament ready to oppose any project formed by James, which might prove hostile to the policy of Louis. The one and the other he was to effect by the same expedient,—promises and presents of money.—Despatch to Barillon of Nov. 19.

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lution not to enter into any engagement which in its consequences might probably draw him into hostilities. Louis was not ungrateful on this occasion. He granted to Sunderland an annual pension of sixty thousand livres (four thousand five hundred pounds): then, on the representation of that wily statesman, he consented to pay it half-yearly in advance; and afterwards, on more than on one occasion, he doubled the amount, to mark his sense of the distinguished services rendered to him by the English minister.[1] Never, perhaps, was the French monarch more egregiously deceived. He persuaded himself that he had made an advantageous purchase, but in three years the whole profit was reaped by his most formidable enemy, the prince of Orange.

This was followed by a more mysterious intrigue, in which, after a doubtful contest, Sunderland again obtained the victory. Though James had sacrificed place and power to the profession of his religion, he was unwilling to sacrifice his pleasures to the observance of its precepts. To his favourite mistress, Arabella Churchill, he had substituted one of the maids of honour to the queen, Catherine Sedley, daughter of Sir Charles Sedley of profligate memory. Of personal charms she was unable to boast: her power of captivating her lover was owing to her wit and conversation; and the duke, though report assigned to him a successful rival in Colonel Graham, the keeper of his privy purse, was willing to believe himself the father of her two children,[2] settled on her an income of two thousand

[1] Barillon, 26 Nov., 6 Déc., 18 Fév.

[2] One of them died young; the other, Lady Catherine Darnley, was married to the earl of Anglesey, and afterwards to the duke of Buckingham. The mother herself married the earl of Portmore. When Queen Mary, the daughter of James, after the revolution,

pounds a year from his private estate, and made to her a present of a spacious mansion in St. James's-square. A.D. 1686. Soon after his accession the Catholics remonstrated against the scandal given by this amour. Overcome by their entreaties, he consented to bid her an eternal farewell; but at the same time, to appease her discontent, doubled her yearly allowance, and commissioned Graham to decorate her house, and furnish it at his expense. Sedley was aware of her empire over his heart: though he refused to see her, she kept possession of her apartment at Whitehall; after three months, by accident or design they met at the lodgings of Chiffinich: the amour was renewed; he visited her, at first clandestinely, afterwards more openly, and at Jan. 21. last put into her hands a patent creating her countess of Dorchester. This was perhaps a spontaneous act on the part of the king, or might have been wrung from him by the importunity of Sedley; but at court both the friends and foes of Rochester attributed it to the policy of that statesman, who sought to place her in the situation occupied by the duchess of Portsmouth in the last reign, and persuaded himself that he should be able to govern the king through the influence of the mistress.

The queen, Maria d'Este, possessed not the mild and submissive temper of the consort of the late monarch. She upbraided her husband with his infidelity; she declared that she would withdraw to a convent, rather than witness her own degradation; and it was remarked that, on two successive days at dinner, she neither ate, nor uttered a word to the king. Sunder-

turned her back on the countess, that lady exclaimed, "I beg your "majesty to remember that, if I broke one of the commandments "with your father, you broke another against him. On that score "we are both equal."—Lord Dartmouth, in notes to Burnet, iii. 114.

CHAP. II. A.D. 1686. land was at hand to inflame her jealousy, and point her resentment against Rochester; he called the principal Catholics to her aid, representing to them that all their hopes of relief would vanish, if they suffered

Jan. 25. a Protestant mistress in the interest of their adversary to be established near the throne; and he advised the queen to summon to her apartment himself, the lord chancellor, Mansuete, a Capuchin friar from Lorrain, who was the king's confessor, Petre the Jesuit, with the most distinguished of the Catholic clergymen, and all the Catholic noblemen at court. When James entered to visit the queen, he was instantly assailed by their united remonstrances against an attachment so injurious to his consort, so disgraceful to his religion, and so prejudicial to his own interest. He was surprised, abashed, and subdued. Having pledged his

Jan. 27. word to separate from Sedley for ever, he sent her an order to withdraw from Whitehall to her own house, and thence to France, or Flanders, or Holland; but in the order itself he betrayed a consciousness of his own weakness, by acknowledging that he dared not trust himself so far as to communicate his resolution to her in person. Sedley treated both the message and the messenger with scorn; she was an Englishwoman, and would dwell where she pleased; if the king determined to remove her, he must do it by force; and in that case she would apply for a writ of habeas corpus, and recover her liberty. James submitted to her caprice; a personal interview was granted, and in conclusion she consented to quit England, and fixed her

Feb. 17. residence on an estate in Ireland, a present to her from her lover.[1]

[1] These particulars are selected from several letters of Barillon (22 Fév. 1685; 31 Jan., 4, 7, 18, 28 Fév. 1686), who

Her departure was celebrated as a triumph by Sunderland, who had not only defeated the machinations of his competitor, but also rendered him an object of suspicion, if not of aversion, to the queen. On the other hand Rochester was not wanting to himself. He endeavoured by numerous protestations to convince her of his own innocence, and to lay the whole blame exclusively on the king.[1] But in a short time the friendship or enmity of the queen became to these ministers a matter of small moment. It appeared that she possessed no political influence with her husband, unless it was at the time of their domestic bickerings, when, to mitigate her displeasure, he seemed to listen to her advice, and granted her requests. But the eclat of their late quarrel proved a lesson to them both. Sedley, indeed, returned after an exile of six months, and the king continued his visits to her as well as to other women; but he now laboured by every artifice in his power to conceal his amours from the eyes of others, and Mary had generally the good sense, even when she was apprized, still to appear ignorant of his misconduct.[2] CHAP. II. A.D. 1686. — August.

From these intrigues we may pass to the measures adopted by the king in favour of the Catholics. On his accession he had sent Mr. Caryll, a gentleman of

espoused the part of Sunderland, and from others of Bonrepaus (31 Jan., 4, 7, 11 Fév.), who was friendly to Rochester. See also the Ellis Correspondence, i. 23, 35, 38, 42, 47, 58, 92; Reresby, 230; Evelyn, iii. 200; and Burnet, 113, 234.

[1] There is, however, reason to suspect that he was not accused unjustly, from the valuable presents which he had previously made to her, and the great intimacy in which she afterwards lived with him and his brother.—See Clarendon's Diary for the year 1690; and Mr. Singer's note, p. 313.

[2] Barillon, 2, 5, 23 Sept. 1686; Bonrepaus, 4 Juin, 21 Juillet, 21 Août, 1686; and an anonymous Mémoire in vol. 154 du Ministére des Affaires Etrangéres, Supplement, 1687, 1688.

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talents and fortune, to Rome, as an unavowed but confidential agent, to solicit the dignity of cardinal for Rinaldo d'Este, the queen's uncle, and a mitre for Dr. Leyburn, auditor to Cardinal Howard. To the first request the pope, Innocent XI., though he did not return a positive refusal, thought proper to demur: but Leyburn was invested with the episcopal character, and, on his arrival in London, received lodgings in Whitehall, with a yearly pension of one thousand pounds out of the privy purse. He was followed by Count Ferdinando d'Adda, with the powers of papal nuncio, but without any public character. This agent had been instructed to respect the religious prepossessions of those among whom he was to sojourn, to exhort the king to temper his zeal with prudence and moderation, and to solicit his intercession with the French monarch in favour of the French Protestants. It was previously known to James and his more zealous advisers that the pontiff disapproved of their ardour and precipitancy; but they laid the blame on the timidity of Caryll, and advised the appointment in his place of Lord Castlemaine as royal ambassador; his public character would insure attention to his representations: and his past sufferings in consequence of Oates's plot would be a recommendation in his favour. There seemed something ridiculous in the selection of the husband of the duchess of Cleveland for this mission to the pontiff, and it was with unfeigned reluctance that Castlemaine himself accepted the office. His instructions bound him to seek the advice of the general of the Jesuits, and to live on terms of intimacy with the French ambassador; instructions ill calculated to beget the good-will of the pontiff, who was no great friend to the "society," and

1685. Sept. 9.

Nov. 6.

1686. Jan. 7.

still less to France or the connections of France. The parade with which Castlemaine entered Rome, and the enthusiasm with which he was hailed by the Romans, might gratify the vanity, but the issue of his negotiation, as will be afterwards shown, disappointed the expectation, of his sovereign.

At home the king pursued with ardour his project in favour of the Catholic officers in the army, and at first had the satisfaction to find himself successful. Patents under the great seal were issued, discharging them from the penalties to which they were liable by the statute of the 25th of Charles II., and enabling them to hold their commission, "any clause in any act "of parliament notwithstanding." This kind of expedient had first been suggested to James in the reign of his brother by Herbert, chief justice of Chester, who waited on the duke on his return from Scotland, and informed him that, if he sought to resume his office of lord high admiral, the Test Act could oppose no effectual bar to his desire, because it was in the power of the king to dispense with that statute. The opinion of Herbert was confirmed by that of Jeffreys after his elevation to the bench; and it is not improbable that such a dispensation was secretly obtained by the duke, before he entered on the duties of a privy counsellor and lord high admiral towards the close of the last reign.[1] He now asked for the opinions of the several judges separately and in private; those who doubted, he desired to argue the question with the lord chancellor; and the indocility of four was punished by their removal, and the vacancy filled by others of more courtly principles or less scrupulous

Jan. 9.

April 20

[1] James (Memoirs), ii. 81. Ellis Correspondence, i. 7

CHAP. II. A.D. 1686.

ambition.[1] The result was now certain, and Godden, coachman to Sir Edward Hales, received instructions to bring an action for the penalty of five hundred pounds to which his master was subject, for holding the commission of a colonel in the army without having previously qualified according to the provisions of the Test Act. Hales pleaded a dispensation under the great seal; and the cause was heard in the court of King's Bench before the same Herbert, now lord chief justice, and a lawyer whose upright and blameless conduct was calculated to give weight to his judicial decision. He openly professed to entertain no doubt; but the question was of the first importance; and before the court gave judgment, he would consult the rest of his brethren. Nine concurred with him in opinion: of the two dissentients, Powel, after some delay, came over to the majority, and the only one who persisted was Street, a judge of a very indifferent reputation. Fortified in this manner, Herbert delivered judgment in favour of the defendant, on the ground that the king of England was a sovereign prince, and that the laws were his laws, whence it followed that it was part of his prerogative to dispense with penal laws in particular cases and upon necessary reasons, of which necessities and reasons he was the sole judge; and that this was not a trust committed to him by the people, "but the ancient remains "of the sovereign prerogative which never yet was

June 21.

[1] On the first of January Barillon informed his court of this determination, adding, "il faudra que tous les juges confirment "cette dispensation, autrement ils ne conserveront pas leurs places. The office of chief justice of the Common Pleas was worth five thousand pounds per annum.—Barillon, 10 Jan., 25 Fév., 25 Avril & Mai. See also Ellis Correspondence, i. 44.

"taken, nor can be taken, from the kings of this "realm."[1]

The decision of the court gave much dissatisfaction; but, though it was severely censured, it does not appear to have been contrary to law, as the law at that period was generally understood. That it is subversive of the principle on which the legislative authority is established, cannot be denied; but the dispensing power had at all times been claimed and exercised by our kings; and its existence was admitted by the lawyers, though they differed in opinion as to the limits within which it ought to be confined, a question the solution of which depended on the judgment and political bias of each individual. Had James been a Protestant, or had the dispensation regarded any other matter than religion, it is possible that his claim would not have been disputed; but men were alive to the danger which, it was said, threatened the established church; they looked on the Test Act as its principal bulwark; and when they found that this bulwark could be undermined by the dispensing power, they argued that such power ought no longer to be intrusted to the crown. James was not of a disposition to concede to these apprehensions. He exercised his claim without restraint; and every repetition served to add to the dissatisfaction and alienation of his subjects, till the despair of obtaining redress from the good sense of the monarch urged them to place another prince on the throne. Yet even then, in the declaration of right which the two houses made at the time when they tendered the crown to William and Mary, they

[1] State Trials, xi. 1165—1199. The tract of Sir Edward Herbert in support of his judgment, and the opposite treatises of Sir Robert Atkins and Mr. Attwood, follow in the same volume, 1199—1315.

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did not absolutely deny the power of the sovereign to dispense with the law in particular cases, but in more cautious and qualified language asserted, "that it was "illegal, as it had been assumed and exercised of late." The consideration, however, of what was past, induced them subsequently to provide for the future; and the claim of the sovereign was very wisely abolished by the Bill of Rights, which enacted, that "after the then "session of parliament no dispensation with any sta- "tute should be valid, except where the king is espe- "cially authorized to dispense by act of parliament."

The reader is aware that the first among the prelates, who ventured openly to join the standard of opposition in the House of Lords, was Compton, uncle to the earl of Northampton, and formerly an officer in the army. He was soon made to feel the royal displeasure, by his removal from the council and from the office of dean of the chapel, but was amply repaid for the loss with the general approbation of the people. His example excited a similar spirit among the clergy of the metropolis; and the pulpits were constantly supplied with preachers, who fiercely declaimed against the erroneous doctrines imputed to the church of Rome, and in warm language exhorted their hearers to a steadfast adhesion to the reformed faith.[1] The king was surprised, perhaps alarmed; for the obvious tendency of their sermons was to infuse a jealousy of his designs, and to prepare the popular mind for resistance. He considered such discourses as inconsistent with the established doctrine of passive obedience, and contrary to the professions of attachment to his person, which had formed the burthen of the numerous ad-

Jan. 1.

[1] Evelyn, iii. 199. Reresby, 226, 232. Ellis, Corresp. i. 3, 6. Barillon, 3 Janv., 20 Avril.

dresses from the ecclesiastical bodies. Hitherto he had committed no positive act of aggression against the church; but from this time he seems to have argued that the clergy, by breaking their promises to him, had also released him from his engagements to them. In virtue of his ecclesiastical supremacy he sent to the two archbishops certain directions for preachers, commanding them to lay aside questions of controversy, and to confine their discourses to subjects of moral divinity, and of a holy life. Many complied; but many also refused, and gloried in a disobedience which claimed for them the applause of their hearers. The first who was visited with any mark of the king's displeasure, was Dr. Sharp, dean of Norwich, and rector of St. Gileis, who had preached a sermon almost parallel in so very measured terms on the matter of the new converts to the church of Rome; but the bishop of London, instead of exercising the royal order to suspend him from the office of preaching, was content with ordering him to remain silent, till he had satisfied the king of the propriety of his conduct. The disobedience of the prelate led to the establishment of a new ecclesiastical commission.

1686. May 2. June 27. July 5.

By the first of Elizabeth it had been enacted that the kings and queens of England should have full power to appoint persons to exercise for them their ecclesiastical authority, and to visit, reform, correct, and amend all errors, schisms, offences, contempts and enormities which by any manner of ecclesiastical power could be lawfully reformed, corrected, and amended. It was, indeed, true, that by another statute of the 17th of Charles I. the clause granting that power was repealed, and all letters patent granting new courts similar to the High Commission void, and all

CHAP. II. A.D. 1686.

powers and authorities granted thereby, were declared utterly void and of no effect. But this last act had also in its turn been repealed by the 13th of Charles II., c. 12, which, while it put down the High Commission court with its *extraordinary* powers of imposing fines, committing to prison, and tendering the oath ex-officio, preserved to the spiritual courts the exercise of their *ordinary* jurisdiction, and to the crown that of its supremacy. James, to whom it seemed incongruous that he, a member of the church of Rome, should inquire by virtue of the supremacy into ecclesiastical offences committed by members of the church of England, consulted the judges, and was by them advised to appoint a standing court of delegates with *ordinary* powers to hear and determine ecclesiastical causes, and to pronounce on offenders ecclesiastical

uly 14. censures. To this effect a commission in most ample form was directed to the archbishop of Canterbury, to the bishops of Durham and Rochester, the lord chancellor, the lord treasurer, the president of the council, and the chief justice of the Common Pleas,[1] who (with the exception of the metropolitan) summoned the bishop of London before them to answer for his

August 3. contempt in omitting to suspend Dr. Sharp. They refused to listen to his plea in bar of their jurisdiction; but allowed him sufficient time to prepare his answer.

ugust 31. He alleged that to comply with the royal mandate by any judicial act was not in his power, because the offence had never come judicially before him, but that he had complied with it in substance by advising and

[1] See it in History of King James's Ecclesiastical Commission, p. 2. Rapin tells us (xv. 74), that several Catholics were in the commission, an extraordinary mistake, as is evident from the instrument itself. Neither is it true that the commission was appointed in April but not opened till August on account of the doubts entertained of its legality. The day on which the patent was sealed was July 14th.—Evelyn, iii. 213.

inducing Sharp to abstain from preaching. If, however, he had, in the opinion of the commissioners, erred through mistake, he was ready to beg the king's pardon, and willing to make reparation for his fault.

The commissioners were divided in opinion. Rochester (and he was feebly seconded by Jeffreys) contended that it was but fair to allow the prelate time to do now, what he had been ordered to do at first: Sunderland and the bishop of Durham, that as delegates they ought to lay the whole matter before the king, and abide by his decision. But James had no compassion on the delinquent; it was to him, when duke of York, that Compton owed his nomination to the see of London, and yet that prelate had been the first to excite the jealousy of the clergy and the alarm of the people, to the prejudice of his benefactor. The king insisted that he should suffer in punishment of his ingratitude. Immediately Rochester, the protector of the church in council, withdrew his opposition; the commissioners suspended Compton from the exercise of the episcopal jurisdiction during the royal pleasure, and the administration of the diocese was intrusted to the three bishops of Durham, Rochester, and Peterborough. Sharp was also suspended, but restored on his submission. His diocesan's more warlike spirit refused to bend. He remained in disgrace, deprived, indeed, of ecclesiastical authority, but invested with the honours of a martyr in the estimation of the people, who gave to his judges the title of the Congregation de Propagandâ Fide, transferred from Rome to London.[1]

Sept. 6.

1687. January.

[1] See the whole process in the State Trials, xi. 1156—1166, and the History of the Ecclesiastical Commission; also Ellis Corresp. i. 60, and Barillon, 12, 19, 23 Sept. The archbishop would not act. He objected to the superior authority given to a layman, the chancellor, and excused himself on account of his age and infirmities.

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Such were the principal events of the second year of the reign of James; but with them were intermixed several other occurrences, of minor interest it is true, but strongly calculated, in the existing disposition of the public mind, to foment the jealousy of the people and to diminish the popularity of the monarch.

1. The king had found in the closet and strong box of his deceased brother, two papers in the handwriting of that prince, purporting to be short treatises on one of the most important points of controversy mooted at that time between the Catholic and Protestant divines. In both he had pursued the same subject, endeavouring to show that it was impossible to reconcile the right of private judgment, claimed by all denominations of Protestants, with the belief in a church established by Christ, with full authority to teach the Christian doctrines. At first James showed the original documents as a favour to different individuals; to Pepys, of the Admiralty, to Barillon, the ambassador, and to Dr. Sancroft, the archbishop of Canterbury. He requested that prelate to procure a refutation of the reasoning pursued in those papers. It was a matter, he said, of real consequence; for if a satisfactory refutation were written, he should be happy to return to the communion of the established church.[1] At length, convinced in his own mind that his brother's arguments were unanswerable, he resolved to make them public for the instruction and edification of his subjects. Several thousand copies were printed and

—(See his petition in App. to Clarendon's Diary.) James saw his true reason, and erased his name not only from the list of commissioners, but also of privy counsellors, saying that if he was too infirm to be of the first, he was equally so to be of the other.—Barillon, 26 Août, 2 Oct. Lord Mulgrave was substituted for him.

[1] Life of James, ii. 8, 9, from his Memoirs.

given away for distribution. A question respecting their authenticity was soon raised by persons, who with Evelyn and Burnet[1] maintained that both papers displayed a much greater proficiency in controversial learning than the laughter-loving monarch had ever possessed. On the other side, competent judges, acquainted with the handwriting of Charles, pronounced them genuine, and from the erasures, and corrections, and interlineations with which they abounded, drew the conclusion that they were not mere copies of documents presented to that prince, but compositions of his own, which he had revised and improved on different occasions.[2] It was speedily known that numerous conversions to the Roman Catholic creed had occurred among the nobility and the dependants on the court; the example of the higher was gradually imitated by the lower classes; and the more zealous of the Catholic body were careful to reprint editions of the two tracts, which they triumphantly dispersed among their neighbours. But the most unaccountable thing was the torpor with respect to them of the Protestant press. During the whole reign of James nothing was published in the shape of refutation; not a writer came forward to enter the lists against the royal theologian. This was a circumstance to which James has alluded with evident marks of satisfaction.[3] But highly as he might have prized it, he had by the publication of the tracts shaken the at-

[1] Evelyn, Diary, iii. 181; iv. 179. Burnet owns that he had occasionally heard the same arguments from the mouth of Charles.

[2] Comme s'il y avoit mis la main plus d'une fois.—Baril. 2 Avril, 1685. The two tracts are printed by Harris, ii. 65.

[3] James's Memoirs, ii. 9. In the same page is added, "There "was something of an answer published by an unknown hand; but "the drift of it was rather to prove that the papers were not the "late king's, than any reply to the arguments in it."

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tachment of many most valuable adherents, who now began to suspect him of harbouring designs hostile to the established church, and to concert measures of resistance, if he should attempt to carry such designs into execution. It was not long before their suspicions were confirmed.

2. Among the Protestant clergymen who had recently adopted the Roman Catholic creed, were Obadiah Walker, master of University College; Boyce, Dean, and Bernard, fellows of different colleges; and Sclater, curate of Putney and Eshare. To these James granted dispensations, by which they were empowered to enjoy the benefits of their respective situations without taking the oaths, or attending the established worship; though at the same time he imposed on Sclater the obligation of providing fit ministers to perform his clerical duties according to the book of Common Prayer. In defence of his conduct he maintained that it was incumbent on him to see that no man should suffer because he had the courage to follow the dictates of his conscience; but even this shallow pretext was wanting with respect to another proselyte, Massey, fellow of Merton, whom the king appointed dean of Christchurch, giving him at the time of his appointment a similar dispensation, in virtue of which he occasionally took his seat in the meetings of the chapter. Whatever he might have thought of the other cases, this was so manifest a violation of the rights which he had promised and sworn to uphold, that it is difficult to conceive by what sophistry the misguided prince could justify it to his own satisfaction.[1] By his flight in 1688, the

1686. ebruary. April. May 3. May 5. Dec. 16.

[1] Gutch, Miscel. i. 287, 290, 294. Reresby, 233. Ellis, Corresp. i. 55, 210, 218. Baril. 21 Mars.

proselytes whom he had thus illegally remunerated were abandoned without shelter or protection to the brutality of the populace, and afterwards to prosecution by their adversaries. Several in this time of trial distinguished themselves honourably by their constancy in the profession of their religious convictions; but two, Sclater and Walker, betrayed a craven spirit which, when it was put to the test, shrunk with terror from the crown of martyrdom. Sclater, under the protection of James, had boldly published a treatise of some learning and research in defence of his conversion; but now that the king was gone, he ascended the pulpit of St. Mary's in the Savoy before a crowded congregation, and bewailed with floods of tears his crime of apostasy from the church of England. His professions of repentance, whether they were sincere or feigned, obtained for him a solemn readmission into the fold which three years before he had scornfully abandoned, and at the same time care was taken that the recovery of the lost sheep should be everywhere celebrated as an additional triumph won by the church.[1] Walker had sinned more deeply than Sclater, and was accordingly reserved as a victim for the gallows. No one doubted that he had made himself liable to the loss of life by the anti-popery laws enacted in the 13th of Elizabeth; but the men who thirsted for his blood found it no easy matter to procure testimony which might prove to the satisfaction of a jury that he had either been "reconciled" himself or had "reconciled" others. After a long imprisonment in the Tower, he was brought by writ of habeas corpus before the court of King's Bench; but to prevent his liberation upon

CHAP. II. A.D. 1688

1689. May 5.

Oct. 26.

[1] Horneck's Recantation of Popery by Sclater. Dodd, Church History, iii. p. 462.

CHAP. II. A.D. 1689.

bail, his enemies sent a messenger from the House of Commons to take him from Westminster Hall, and place him at the bar of that house. There questions were insidiously put to him, his replies to which it was expected would be equivalent to a confession of the offences imputed to him; but he saw the snare, and escaped it, by the use of language which, if it did not amount to a renunciation of the Catholic creed, was at the best extremely evasive and disingenuous. The house remanded him to the Tower on a charge of high treason, and of divers crimes and misdemeanours: still no prosecution followed, and in the next term the court of King's Bench restored him to liberty upon sufficient bail. A few months later the new king and queen published a general amnesty, but excepted him by name from the benefit. Then, however, he met with a generous friend in one who had formerly been his pupil, the celebrated physician Dr. Ratcliffe, who supplied him with an asylum, and provided liberally for the wants of the old man. Under Ratcliffe's protection Walker lived in the strictest retirement, unnoticed and unmolested by the government till his death in 1699.[1]

1690. Jan. 31.

May 23.

1686.

3. The condition of the French refugees continued

[1] He was buried at the expense of his benefactor in St. Pancras churchyard, with the following inscription on his tombstone:—"O. W. 'Per bonam famam et per infamiam.' Obiit Jan. 31, 1699. "æt. 86." See Athenæ Oxon. with the notes in the edition by Bliss; Commons' Journal, x. Oct. 26; Dodd, iii. 454. Here, perhaps, it may be asked what became of Massey, who undoubtedly was not less obnoxious than Walker. Massey had the good fortune to escape to the continent, and lived for some years at St. Germain's, in high repute with King James. From the court of the exile he repaired to the English secular college at Douai. There he was ordained priest, and returning thence to Paris, officiated during the remainder of his life as confessor to the convent of English Conceptionists, generally known by the name of the Blue Nuns.—See Dodd, iii. 478.

to claim the public attention. A brief was read in all the churches for their relief, and several tracts were published to excite in their favour the commiseration of the people. Among these was the translation of a treatise in the French language by the celebrated minister Claude, describing in vivid colours the inhumanity of Louis and the wrongs of the sufferers.[1] Barillon complained of it as a libel on his sovereign, and James declared his pleasure in the council that it should be burnt by the hands of the public executioner. Jeffreys objected that it was a foreign book, on foreign matters, and containing nothing against the peace of the realm; but the king replied that it was the common duty of sovereigns to protect each other from the pens of libellers; the obnoxious pamphlet was ignominiously delivered to the flames; and this treatment, while it added to the circulation of the book, excited considerable discontent in the people, and was taken as a sign that James approved in his heart of the persecuting measures pursued by the French monarch.[2]

CHAP. II. A.D. 1685. May 5

4. Though the ancient worship was still proscribed by law under the penalties of imprisonment, forfeiture, and death, the Catholics for the last four years had been permitted to practise it in private houses without molestation. But James was not satisfied with mere connivance: he deemed it both his duty and his interest to give protection to the public exercise of his religion; and with this view he threw open the old

1 "Les plaintes des Protestants cruellement persecutés dans le 'royaume de France."

2 Barillon, 13 Mai. Before this letter reached Paris, Louis had written to the ambassador to abstain from noticing the book, "ces 'sortes de livres, perdant ordinairement leur crédit par le peu " d'attention qu'on y fait." 17 Mai.

CHAP. II. A.D. 1686. April 23. chapel at St. James's, which had been closed for a considerable period, persuaded Sandford, an Englishman, and envoy from the elector palatine, to fit up a second chapel at his residence in the city, and built for his own use a third at Whitehall, which was opened Dec. 25. with great solemnity at the festival of Christmas. Successively colonies from the several religious orders established themselves in different places; one of Benedictines at St. James's, another of Carmelite Friars in the city, a third of Franciscans in Lincoln's Inn Fields, and a fourth of Jesuits in the Savoy, under a rector of the name of Palmer. The last opened 1687. May 24. a large school, which was frequented by Protestants as well as Catholics, on an understanding that the teachers should not interfere with the religious principles of their pupils.[1]

1686. 5. As these novelties were of a nature to beget irritation, so they provoked, as was to be expected, occasional breaches of the peace on the part of the lower classes; but James had prepared an effectual check to the ebullition of popular resentment by the presence of an army of about sixteen thousand men, consisting of twelve battalions of infantry and thirty-five May 27. squadrons of cavalry, encamped on Hounslow Heath. Recollecting his employment as general in the French service, he felt a pride in modelling his troops, and fatigued himself and them with repeated inspections

[1] James, ii. 79, 80. Barillon, 29 Avril, 6 Mai. Ellis, Cor. i. 84, 118. The success of this establishment at the Savoy exceeded the king's expectations. In a short time the scholars, attracted by the celebrity of the teachers, amounted to about four hundred, half Protestants and half Catholics (James, ii. 80). He was even induced to found a second school in the city, of which Charles, the brother of Edward Petre, with six other Jesuits, took possession on March 25, 1688. But the revolution followed too quickly to permit it to flourish like the former.—Oliver, Collect. 149.

and reviews. In the general opinion this army was the best paid, the best appointed, and the best disciplined in Europe. But at the same time rumour was busy in attributing the king's diligence to designs against the religion and the liberties of his subjects. It was remarked that several of the officers were Catholics; the piety of all good Protestants was scandalized by the public celebration of mass in the tent of Lord Dunbarton, the second in command;[1] and in May 24. a short time a printed paper was circulated through the camp, calling on the men "to be valiant for the "truth; not to yoke themselves with bloody and "idolatrous papists, and to refuse a service the object "of which was to set up mass-houses, and to bring "the nation under the tyranny of foreigners." That the publication was libellous and seditious, no one could deny; it was traced to Dr. Samuel Johnson, formerly chaplain to Lord Russell, and convicted in the last reign of having published "Julian the Apos-"tate," a libel on the duke of York. For this second offence he was tried at the bar of the King's Bench, Nov. 16. found guilty, and adjudged to stand thrice in the pillory, to be whipped from Tyburn to Newgate, and to pay a fine of five hundred marks. Much intercession was made for him; but James was inexorable; and therefore, previously to his punishment, to save the honour of the clergy, he was solemnly degraded from the order of priesthood, in the chapterhouse of Nov. 20. St. Paul's, by Crewe, Sprat, and White, the bishops of Durham, Rochester, and Peterborough.[2]

6. The king was not content with empowering

[1] Barillon, 6 Juin, 11 Juillet.

[2] State Trials, 1339, 1350. Oldmixon, 709. Ellis, Corresp. i. 190, 197.

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Catholics to hold commissions in the army or to retain situations in the universities; he resolved to introduce them into the privy council, and, soon after the declaration of the judges in favour of the dispensing power, he ordered the lords Powis, Arundell, Belasyse, and Dover, to take their places at the board without having previously qualified themselves by the test according to law. It was, he maintained, a part of his prerogative to avail himself of the advice of any of his subjects, whatever might be their religious opinions; but the people, instead of admitting the claim, looked upon it as an open avowal of his intention to subvert the Protestant establishment. He made at the same time another appointment, which, had it been known, would have added considerably to the public irritation. Of the Catholics no one, whether it was owing to the merits of the individual or the arts of Sunderland, had obtained so high a place in his favour and confidence as Father Petre. To him had been given the superintendence of the royal chapel; he was lodged in the same apartments at Whitehall which James had occupied when he was duke of York, and he was named a privy councillor at the same time with the four peers.[1] The impolicy of this appointment was too glaring to escape the notice of any man of ordinary apprehension. James owns that he himself was aware of it; and can allege no other plea in excuse, but that "he was so bewitched "by my Lord Sunderland and Father Petre, as to let "himself be prevailed upon to doe so indiscreete a "thing."[2] What induced Petre to accept the office is

July 17.

[1] Ibid. Ellis, Corresp. i. 149, 196. Barillon, 22, 29 Juillet 21 Nov.

[2] James (Memoirs), ii. 77.

not mentioned. But the policy of Sunderland is obvious. He made the presence of the Jesuit a screen for himself; for, as long as the former occupied a place in the council, to him chiefly would attach the odium of every measure offensive to the feelings, or prejudicial to the interests, of Protestants.[1] The Catholic lords, however, were alarmed; they communicated their apprehensions to the queen; and with the aid of her entreaties James was at length persuaded, not, indeed, to revoke the appointment, but to suspend its publication. In effect, he waited only for the result of Castlemaine's negotiation at Rome, and persuaded himself that, when his friend was, as he expected he would be, invested with the episcopal character, less objection would be offered to his introduction into the council.[2]

7. Petre repaid the services of Sunderland by the employment of his influence to effect the removal of Sunderland's competitor. The disapprobation, which Rochester constantly expressed in council, of the measures taken by James, mortified the king; but his resentment was as often checked by the humble submission of that minister to the royal will, after he had once delivered his opinion. The two intriguers adopted a new argument. They represented to James that he must never expect to carry the abolition of the Test Act in parliament, as long as the opposition was led by one of his own ministers, the highest in rank, and the first in influence and patronage.[3] This the king admitted; but his reluctance to disgrace an old and tried adherent suggested to him the hope of escaping from the difficulty by the

[1] Life of James, ii. 77. [2] Ibid.; and see the next chapter.
[3] Barillon, 23 Sept., 4, 18, 21 Nov.

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conversion of Rochester to the Roman Catholic faith. At his request the earl conversed in private with Dr. Leyburn on two subjects,—the real doctrine of the Christian church during the first five centuries, and the necessity of an infallible authority in matters of faith: afterwards the question of the real presence was debated before him and the king without any attendants, by the doctors Jane and Patrick on one side, and Leyburn and Godden on the other; and Rochester in conclusion observed that the disputants "had discoursed learnedly, and that he would atten-"tively consider their arguments." The king was disappointed; he complained to Barillon of the obstinacy and insincerity of the treasurer;[1] and the latter received from the French envoy a very intelligible hint that the loss of office would result from his adhesion to his religious creed. He was, however, inflexible, and James, after a long delay, communicated to him, but with considerable embarrassment and many tears, his final determination. He had hoped, he said, that Rochester, by conforming to the church of Rome, would have spared him the unpleasant task: but kings must sacrifice their feelings to their duty. That interest which *he* owned and supported, the earl opposed: it was necessary to put an end to such opposition. If time were required for deliberation, he should have it; if not, he might still be assured that his past services would never be forgotten, and that he would always find in his sovereign a friend and protector for himself and his family. What answer was returned we know not; but its import may be

Nov. 12.

Nov. 30.

Dec. 3.

Dec. 19.

[1] Barillon, 12, 20 Déc., 9 Janv. While James complained on one side of his obstinacy, the zealous Protestants complained on the other, "that he remained so far in suspense as not to declare which side had the better."—The True Patriot Vindicated, p. 88.

collected from the result. James abolished the office of lord high treasurer, whose duties were intrusted to a board of commissioners, and the fallen minister received, as a proof of the royal gratitude, lands to the yearly value of one thousand seven hundred pounds out of the forfeited estate of Lord Grey, and an annuity of four thousand pounds out of the private estate of James himself, to continue to him and his son for the term of ninety-nine years, but to determine on the death of the survivor.[1]

The disgrace of Rochester spread alarm among the friends of the established church. In him they had lost their most powerful support. But, though they complained of the past and feared for the future, they did not yet suffer their discontent to goad them into acts of resistance. From the fate of the insurgents under Monmouth, they had learned a salutary lesson, and deemed it more expedient to wait with patience for redress from a Protestant successor, than to provoke a civil war by appealing to the passions and the violence of the people.

The press, however, was still open to them; it still offered to those who dared not assail the king's conduct the liberty of assailing his religion without impediment or personal danger. That in the circumstances of the time many should avail themselves of

[1] Barillon, 12 Déc., 2, 13, 20 Janv. James, ii. 100, 102. Dodd, iii. 419. Clarendon Corresp. ii. 62, 90, 91, 116. Evelyn, iii. 221. Ellis's Corresp. i. 212, 223, 228. The new commissioners of the treasury are thus described by Barillon:—"Mylord Belassis est un "homme de qualité qui a beaucoup souffert pour le roi d'A., et pour "la religion Catholique. Myl. Godolphin a déjà dirigé les finances, "et y est estimé fort habile. Myl. Douvres a été attaché à S.M.B. "depuis son enfance, et merite bien cet emploi; il est riche et "econome. Le chev. Erneley est un ancien officier des finances, "qui en sait la routine; et le chev. Fox est immensément riche, et "donne du crédit aux autres commissaires."—Barillon, 13 Janv.

CHAP. II. A.D. 1687.

this powerful engine, will not excite surprise; but we are assured that the number of theological combatants who now poured into the field was so great as almost to exceed belief. They were led by Tillotson, Stillingfleet, Tenison, Wake, and others, veterans who had already distinguished themselves by their controversial prowess in the reign of the last monarch, and who were, some of them, chaplains to the present king, preaching regularly at Whitehall, and giving by their boldness and impunity additional credit to the Protestant cause. To them the Catholics opposed the most eminent of their divines, Godden and Serjeant, and then Gother, whom, on account of the purity and harmony of his language, Dryden pronounced a perfect master of English style.[1] Nor should Thomas Ward be omitted, the chivalrous antagonist of Dr. Tenison, who at last discovered, to his infinite annoyance, that the grave theologian with whom he had been contending was in fact a layman, formerly a schoolmaster, and actually a trooper in the horse-guards.[2] The contest was carried on with equal spirit by both parties during the reign of James, both claiming the victory of course; for it is seldom that in such controversies men take the trouble to study the real arguments of their adversaries; they generally confine their reading to the works published on their own side. But the flight of James wrought a wonderful alteration in the position of the respective combatants: the anti-Catholics were rapidly elevated to the highest dignities in the church; their former opponents stole away from public notice, happy to shelter themselves in obscurity from pursuit and peril during the troublous and eventful period which immediately followed.

[1] Dodd, iii. 470, 472, 482. [2] Id. iii. 459.

CHAPTER III.

SCOTLAND—THE KING DISPENSES WITH THE LAWS—OPPOSITION IN PARLIAMENT—KING'S GRANT OF FULL TOLERATION—ACCEPTED BY PRESBYTERIANS AND CATHOLICS—IRELAND—OPPOSITE PARTIES—TYRCONNEL'S PLANS AND PROCEEDINGS—ENGLAND—CLOSETINGS—LIBERTY OF CONSCIENCE—CONTESTS WITH THE UNIVERSITIES—THE NUNCIO—CASTLEMAINE—PETRE—DESIGNS ATTRIBUTED TO THE KING—INTRIGUES AGAINST HIM—FORGED REMONSTRANCE FROM THE COUNCIL—SECRET PREPARATIONS OF THE PRINCE OF ORANGE—INCREDULITY OF JAMES—SECOND DECLARATION OF LIBERTY OF CONSCIENCE—DISOBEDIENCE OF THE BISHOPS—THEIR COMMITMENT AND TRIAL.

At the beginning of this chapter it may be convenient to pause, and to take in the meanwhile a rapid view of the state, both political and religious, of the two kingdoms of Scotland and Ireland.

From the Scottish parliament during its first session James had received unequivocal proofs of attachment to his person, and of obsequiousness to his will. Hence it was that he resolved to make in Scotland the first trial of those extraordinary and disputed powers which he claimed as inseparably connected with the possession of the sovereign authority. He began with the privileges of corporate bodies. The magistrates of Edinburgh were first forbidden to make any election of municipal officers without further orders, and then commanded to choose at the usual time Bailie Kennedy, the king's nominee, for lord provost. With the appointment of inferior officers he did not interfere. A few weeks later he sent a pre-

1685. Sept. 19.

Oct. 5.

Nov. 7.

CHAP. III. D. 1685.

cept to the Scottish council, to permit six-and-twenty persons, already appointed commissioners of supply, and all of them Catholics of ancient standing or recent conversion, to exercise their office without taking the oaths or the test imposed by the law, and not only the persons actually named in the instrument, but all others also to whom such dispensation should afterwards be granted by warrant under the king's signature. These infringements of municipal privilege, and of the statute law, met with no external show of resistance; but they had awakened the fears and jealousies of both Episcopalians and Presbyterians; and plans of opposition at the approaching session of parliament were secretly and eagerly organized.[1]

It happened that about this time a violent dissension burst out between the two most powerful members of the council, the duke of Queensberry, the lord treasurer, and the earl of Perth, the lord chancellor, lately become a proselyte to the Catholic worship. Both appealed to the justice of the sovereign, who refused to decide between them, but gladly seized the opportunity of appointing for his representative in parliament the earl of Murray, a man unconnected with either of the parties, and possessing the entire confidence of the king. This appointment led to other arrangements. The treasury was put into commission, by which the duke became only the third person at the board; the government of the castle of Edinburgh was, with his apparent consent, transferred from him to the duke of Gordon; and all that the waning influence of Rochester could effect in favour of Queensberry, whose son Drumlanerig had married

1686. February.

Feb. 26.

[1] Wodrow, ii.

Lady Rochester's niece, was to make him president of the council, with a salary of one thousand pounds per annum. The real object of these changes was to facilitate in the Scottish parliament the repeal of the Test Act, as an example for the imitation of the English parliament. The opposition of Queensberry, which the king had anticipated, was, after his loss of office, a matter of little consequence; the duke of Hamilton had promised his co-operation and that of his numerous dependants; and Mackenzie, lord register, lately created Viscount Tarbet, pretended to show, from the roll of the members, that there existed a large majority at the command of the court. But his assertion was disputed, and the measure itself strongly opposed, by the two archbishops of St. Andrew's and Glasgow; and, after several consultations, James resolved that permission to exercise their respective forms of worship should be granted to the Catholics and the Covenanters, but that the repeal or continuation of the test should be left to the discretion of parliament itself.[1]

March 2.

April 10

The session opened with a letter from the king, in which, having given due praise to the loyalty of the Scots, he stated his own attention to their interests, and his wish to extend their commerce and add to their prosperity. He had instructed his commissioner to establish, with their concurrence, certain regulations for the opening of a free trade with England, and had sent down an act of amnesty to be passed in parliament, pardoning all rebellions and offences against the crown. In return he asked nothing for himself; the only boon which he expected was some

April 29

[1] Barillon, 11 Mars, 22, 29 Avril. Ellis, Corresp. 46, 50, 53, 56, 69, 72, 96, 112.

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indulgence for his Roman Catholic subjects, that they might enjoy, in common with others, the protection of the laws, without lying under obligations incompatible with their religious creed. The commissioner spoke in a similar strain; but, both in his speech and in the royal letter, all mention of the exact measure of relief was cautiously avoided.[1]

The number of the Catholics in Scotland was so inconsiderable, that no danger could be feared from *them* in consequence of the toleration of their religion. But that jealousy of the king's designs, which prevailed in England, had penetrated into the neighbouring kingdom; and the Protestant leaders in London, the Scottish refugees in Holland, and even the prince of Orange, through the secret agency of the pensionary Fagel, made every effort to animate the Scots to resistance. The persuasion that Protestantism was in danger rapidly diffused itself through the nation. The more religious could not be convinced that it was lawful to connive at the exercise of a religion which they had been taught to believe idolatrous; and men, who for years had felt no sense of religion at all, were suddenly inspired with a holy impulse to put down the errors of popery together with the hopes of the papists.[2] From the support which he had always given to the episcopal church of Scotland, James conceived himself entitled to its gratitude and services; but of the bishops, with the exception of Ross and Paterson, some were passive, others decidedly hostile; and of the clergy, the greater part laboured to create by their discourse and their sermons the most decided

[1] James, ii. 64—67. Wodrow, ii. 590.

[2] "God," says Fountainhall, "raised up men to appear for the "Protestant interest, who were not very strict in any religion."—State Trials, xi. 1175.

opposition; while the Presbyterians, their ancient adversaries, stood aloof, silent but not indifferent spectators of the contest. In the council, though an appearance of unanimity was preserved, a diversity of inclination existed,—even Hamilton, notwithstanding his engagement, gave but a faint and qualified assent,[1] —and in parliament, according to the ancient policy of several families, if the father supported the court, the son placed himself in the ranks of its opponents. The patrons of the measure began to fear the result. To reduce the number of their adversaries, they ordered several military officers to rejoin their regiments; and, to influence the minds of the timid, they removed other members from their situations under the government. But these proceedings added to the obstinacy of their opponents; and the predominant feeling in the house was sufficiently manifested by the guarded answer returned to the king's speech, May 6. that "they would take the case of the Roman Catho- "lics into their serious and dutiful consideration, and "go as great lengths as their consciences would "allow;" the first time, it was observed, that a Scottish parliament had talked of conscience since the Restoration.[2]

At length the lords of the articles laid the draft of an act before the house. It provoked a long and May 27 animated debate, in which several of the speakers

[1] "This excuse was made for Duke Hamilton and the president's "going alongst, that, by staying in that party and giving them "moderate counsels, they could do the Protestant religion better "service."—State Trials, xi. 1175. On the other hand, the king did not believe that Hamilton acted sincerely, and received from him the same sort of apology, "qu'il n'a pas cru devoir hazarder "son credit en s'opposant inutilement au torrent."—Barillon. 27 Mai.

[2] Wodrow, ii. 591. App. 158.

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displayed the bitterness of their zeal in the most inflammatory language. "Our fathers," exclaimed a voice, "are reproached with having sold their king: "let it not be our reproach that we have sold our "God;" while another sounded in their ears the imprecations against the w—— of Babylon, from the book of Revelations.[1] The draft was returned to the lords of articles for amendment, and was reproduced in the following form:—"That those of his "majesty's subjects who are of the Romish religion "are, and shall be, under the protection of his ma-"jesty's government and laws for their private and "civil interests; and shall not, for the exercise of "their religion in their private houses (all public wor-"ship being hereby excluded), incur the danger of "sanguinary and other punishments contained in any "acts of parliament made against the same." By this form the benefit was restricted to persons at that time professing, not who might afterwards profess, the Catholic religion: whether it would have passed with such a restriction is uncertain; but the king was already offended, and the commissioner received the royal command to prorogue the parliament.[2]

June 15.

This sudden resolution did not proceed from any change of sentiment. James persisted in his design, but condemned himself of folly in having asked as a favour what he could have granted by his own authority. After a interval of a few months he despatched a succession of letters to the council, ordering them to extend the protection of government to his Catholic as well as his Protestant subjects, authorizing the

Sept. 9, 14, Nov. 6, 11, 18.

[1] Barillon, 1 Juillet. Wodrow, ii. App. 161, "that they should "eat her flesh, and burn her with fire."—Rev. xvii. 16.

[2] Wodrow, ii. 594. App. 160. Fountainhall, in State Trials, xi. 1170—1177.

exercise of the Catholic worship in private houses, and enjoining that certain individuals by name should be admitted to offices in the state, as well as the conforming clergy in general to livings in the church, without the obligation of taking the test.[1] CHAP. III. A.D. 16—

After this preparatory step he ventured on the execution of the great measure which he meditated. By two successive proclamations he declared his resolution that, as he would not force the conscience of any man himself, so neither would he allow any man to force the consciences of others; his intention of preserving inviolate to the bishops and clergy of the established church of Scotland their churches, rights, and property, and to laymen the possession of all church and abbey lands which had been secularized at the Reformation; his grant of full and free toleration to "moderate Presbyterians," Quakers, and Catholics, so that they might exercise their respective worships in houses and chapels, but not in field-conventicles, for which there could be no longer any pretext; his suspension of the cruel and sanguinary statutes against Catholics, which had been made, during the minority and without the consent of his grandfather, by men in rebellion against Queen Mary, their lawful sovereign, and which were in their provisions so abhorrent to the principles of humanity that for years they had not been carried into execution; and his design of employing men in his service without respect of their religion, and in proportion to their merits and qualifications. That by this measure the king took upon himself to suspend, for a time at least, the execution of numerous laws, cannot be denied; but that he might legally do it seems to follow from the 1687. Feb. 12 and July 5.

[1] Fountainhall, 1177.

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unlimited authority in ecclesiastical matters which the Scottish legislature had previously conferred on the sovereign.[1]

By the clergy of the episcopal church in Scotland this declaration was viewed with feelings of abhorrence. It licensed in their opinion the existence of schism, and blasphemy, and idolatry. Nor did the Presbyterians themselves, who would reap the benefit equally with the Catholics, unite in approving it. The more rigorous deemed it a sin to have any communication with James Stuart, "an apostate, bigoted, excommunicated papist, under the malediction of the "Mediator, yea, heir to the imprecation of his grandfather." They maintained that he could not exercise regal authority, because he had not taken the oath required by law; and that the establishment of toleration was not within the power of the civil magistrate, because toleration was "inconsistent with "the law of God, its object to set up tyranny, its "tendency to unite the hearts of Protestants with "Papists, as if the latter were neighbours, and by "taking in bishops and Quakers as well as Papists, to "legalize heresy and blasphemy no less than idolatry." But by the majority of the Presbyterian ministers the boon was accepted with cheerfulness. It was no concern of theirs to inquire by what authority, or for what object, it had been granted. To preach the gospel was their duty; hitherto they had been restrained by the strong hand of power: it would be extraordinary,

[1] State Tracts, ii. 285. Fountainhall, 1179, 1181. At the same time he granted separate sums of two hundred pounds a year for the support of the chapel royal, of the mission in the Highlands, of the secular missionaries, the Jesuit missionaries, and of the Scotch colleges at Douai, Paris, and Rome.—Mackintosh, 112. May 19, 1687, an additional sum of twelve hundred pounds was given to the college at Paris.

indeed, if they were now to restrain themselves, when the obstacle was removed. Under this impression they met in Edinburgh, and subscribed an address to the king expressive of their loyalty to his person, their gratitude for the indulgence, and their resolution to merit by their conduct the continuation of his favour.[1]

2. In Ireland the same causes of dissension, which had so long agitated that kingdom, were still in constant operation,—diversity of religion, and opposition of interests. Of the two the latter proved the more dangerous and irritating evil.[2] Where the Catholics formed the great majority of the population it was seldom safe, frequently impracticable, to execute the intolerant laws which inflicted penalties on the professors, death on the ministers, of their religion: but the opposition between the English and Irish interests, as they were called, was continually kept alive by the daily fears of one party, and the protracted sufferings of the other. The English interest, that is, the planters and adventurers from England, who had obtained the lands of the natives during a period of rebellion and anarchy, trembled for their security, and lived in perpetual fear of a reaction; and the Irish interest, the men of native descent, among whom numbers had been reduced to poverty for the enrichment of strangers, looked forward to the time when the sufferers might recover the possessions of their fathers by the exclusion of these foreign intruders. The two parties re-

[1] Wodrow, ii. 624. App. 187, 192, 194, 195. Fountainhall, State Trials, x. 735; xi. 1179. The reader should bear in mind that the persons excepted from the benefit of this indulgence were not the Presbyterians in general, but the conventiclers, for whom see p. 131 of this volume.

[2] "The contest here is not about religion, but between English "and Irish, and that is the truth."—Clarendon to Rochester, i. 559.

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garded each other as sworn enemies; they attributed one to the other the most barbarous counsels; they suffered their passions to be blown into a flame by the most improbable and unfounded rumours; and they watched each other like two hostile armies, anxiously looking for the first favourable opportunity of surprise and victory. The duty of maintaining tranquillity between them had for some years been painfully but successfully exercised by the vigilance and firmness of the duke of Ormond, the lord lieutenant; nor was it till the last days of his reign, when he had gained the ascendancy over his opponents in England, that Charles took into serious consideration the state of things in the sister island. Here, with the aid of the church and its doctrine of passive obedience, he had put down the men whom he considered enemies of the throne; but in Ireland he saw, or thought he saw, that almost all who exercised the civil or the military authority were republicans by principle, because they derived their wealth and importance from the conquests and regulations of the late commonwealth. It was resolved to remove them gradually from their situations, and to introduce into offices of trust and power natives of monarchical principles, and consequently in a great proportion Catholics, who, as they would derive the benefit from the favour, would attach themselves through interest to the person, of the sovereign. At the same time he determined to intrust this delicate task to another lord lieutenant,—whether it was suspected that Ormond would disapprove of the plan, or that an honourable retreat was required for Rochester, to shelter him from the unceasing attacks of his rivals in the ministry. The duke received notice that he would be recalled at the expiration of

six months, and a new patent was made out for Rochester as his successor; but the death of Charles disturbed this arrangement; Rochester was raised to the office of lord treasurer in England, and on the departure of Ormond the reins of government fell into the hands of the archbishop of Armagh and Lord Granard, with the title of lords justices.[1] James, however, did not lose sight of the new system, which had been settled with his concurrence during the reign of his brother. After the suppression of Monmouth's rebellion he ordered the militia to be disbanded and disarmed in Ireland as well as in England; an order which in the former kingdom created considerable alarm. There the militia consisted principally of the English planters, who alone had been allowed by law to carry arms, and who, when these were taken from them, considered themselves without defence against the enmity of the natives. Reports of intended massacres were immediately circulated, and numbers, under the impulse of terror, disposed of their property and quitted the island. But it soon appeared that the alarm was groundless, and that the regular army, amounting to eight thousand men, was able to preserve the public tranquility.[2]

CHAP. III. A.D. 16[illegible]

Sunderland had been pointed out to James as a fit person to fill the office of chief governor of Ireland. But that wily statesman had no wish to be exiled from court, and to leave his competitor in the undisputed possession of power. His intrigues were

[1] Clar. Corresp. i. 96, 97, 98, 100, 104, 108, 112, 158.

[2] Ibid. i. 158. In the "Secret Consults" it is said that "thousands" fled to England and five hundred to the plantations (p. 56). That this amount is much overrated appears from Bonrepaus. The "Secret Consults" is, in fact, a work to which no credit is due, when it is not supported by more authentic documents.

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successful; he even contrived to diminish the influence of Rochester in the cabinet, by procuring the appointment of Clarendon, Rochester's brother, to the office which he himself had declined.[1] To Clarendon the king explained his intention with respect to the government of Ireland. 1. It was always to be borne in mind that Ireland was a conquered country, and that of course the English ascendancy and the Act of Settlement must be maintained. At the same time it would be for the lord lieutenant to devise some means of rewarding several of the native Irish, who had rendered important services to the crown, and had nevertheless been deprived of their patrimony. 2. The king was a Catholic, most of the natives were Catholics: it was his will that they should enjoy the free exercise of their worship, that civil disqualifications for religious opinions should cease, and that in Ireland Catholics should be admitted to offices in the state, and to the freedom of corporations, equally with his Protestant subjects. 3. It should be remembered that in the army were to be found many individuals of dangerous principles, whom it would be necessary to remove; and for that purpose he should reserve to himself, as his brother had done in the patent to Lord Rochester, the power of granting military commissions.[2]

1686. Jan. 9.

With these instructions Clarendon took possession of his government. In a short time three Catholic lawyers were raised to the bench; several Catholics were admitted into the privy council; others, as had been the custom before the rebellion, filled the offices of sheriffs and magistrates; and out of the rents of

[1] Barillon, 13 Sept. 1685.
[2] Clar. Corresp. i. 339, 461; ii. 25.

two vacant bishoprics the sum of two thousand one hundred and ninety pounds was set aside to be distributed annually among the twelve Catholic prelates.[1] On all these points Clarendon, though he deeply condemned, faithfully executed, the orders of the sovereign; but the reform of the standing army was intrusted to a more confidential agent, Richard Talbot, with whom the reader is already acquainted by the title of the earl of Tyrconnel. He was descended from one of the first English settlers in Ireland, had entered at an early age into the service of James, and had merited by his fidelity to his master to be selected by Oates for one of his victims. By a timely flight to the continent he escaped the fangs of the informer; and on his return was rewarded by the king with rank and office. Tyrconnel was brave and generous, and devoted to the person of his benefactor; but rash, impetuous, and confident. To spare the feelings of the lord lieutenant, James compelled him to receive his commission of lieutenant-general from Clarendon; but he executed his orders with a vigour, perhaps violence, which did not earn the approbation, though it subdued the timidity, of the chief governor. Every officer suspected, whether justly or unjustly mattered not, of cherishing revolutionary principles, was cashiered; and under pretence of old age or deficient stature, every fourth man among the privates was discharged.[2] Of the first class many accepted the commissions offered them by the prince of Orange in the British regiments serving in Holland, and after-

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April 10.

June 5.

[1] Ibid. i. 576, 247.

[2] Ibid. i. 342, 435. In the old army the Catholics amounted to two thousand. The recruits were two thousand three hundred, of whom three hundred only were Protestants.—Ibid. 502, 514, 534, 575.

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wards gratified their revenge by accompanying him in his subsequent expedition into England. The others carried their complaints into every part of Ireland; their discharge was attributed to a design of raising an army of Catholics; the old alarm of a massacre was revived, and several families emigrated to England. But the king, and the lord lieutenant by his order, declared that the Act of Settlement should be religiously observed, and the panic in a short time subsided.[1]

Having reformed the army, Tyrconnel repaired to court, to urge upon the king the expediency of repealing the Act of Settlement and of removing the lord lieutenant. In the first he failed. That to many innocent families the Act of Settlement had been an act of oppression and injustice, was agreed; but the probable consequences of a repeal were so alarming, that few of the council dared to sanction it with their approbation.[2] In his second object he was

[1] Clar. Corresp. i. 380, 447, 464. The reader is aware that by two acts for the settlement of Ireland, passed by parliament, the one under the commonwealth, the other under Cromwell, all Irish proprietors, royalists or Catholics, had been driven out of the island, or transplanted beyond the Shannon; and that their lands had been distributed between two classes of men (distinguished in official language as adventurers and soldiers, but sometimes confounded by writers under the single denomination of Protestant or English colonists); adventurers, who had advanced money towards the expenses of the war, and soldiers who claimed arrears of pay, or reward for their services (see vol. viii. p. 358, et seq.). After the Restoration many of the sufferers appealed to the justice of Charles II., whose final award appropriated more than three millions of acres to the two classes of adventurers and soldiers (see pp. 53—62, and 294, vol. ix.). This was the "Act of Settlement," the repeal of which Tyrconnel sought to accomplish through an act of the Irish parliament.

[2] The day after the question had been debated in council, Tyrconnel obtained permission to discuss it with Sunderland alone in the king's presence. At the conclusion, Sunderland professed himself a convert to the opinion of Tyrconnel.—D'Adda, 15 Nov. 1686. This was probably a farce concerted between the two.

more successful, though at first he met with strong opposition from the queen, at the request of her friend Lady Rochester. Clarendon could no longer shut his eyes to the lot which awaited him; from his official correspondence with Sunderland, he foresaw that he must expect nothing but hostility from the secretary, whom he suspected of concealing his despatches from the knowledge of the sovereign; and it was plain that the intriguers who sought the fall of his brother would involve him in the same disgrace. At length the treasurer's staff was taken from Rochester; and Clarendon at the same time received notice of his recall. But who was to be his successor? Tyrconnel, when his name was previously mentioned, had, with affected moderation, replied that the infirm state of his health would not permit him to accept the office for more than a very limited period. But most of the Catholic counsellors had no wish that he should be invested with it at all. They objected his violence and presumption; the queen aided them with her influence; and the earl of Powis was put forward as a competitor. The ambition of Tyrconnel now disclosed itself. He called upon Sunderland and Petre to fulfil their former promises in his favour; and after a long contest, in which the expedients suggested by one party were uniformly rejected by the other, he succeeded in obtaining the object of his wishes, not, however, in the capacity of lord lieutenant, but with the inferior title of lord deputy. Powis, after the refusal of several other offices, was content to accept the higher rank of marquess; and Clarendon, having resigned the privy seal to Lord Arundel, received from the king a pension of two thousand pounds per annum.[1]

CHAP. III. A.D. 1686. —

1687. Jan. 1.

March 10.

March

[1] D'Adda, ibid. Clar. Corresp. ii. 10, 26, 68, 134. Barillon, Jan. 27, Fév. 13, 20, Mars 20, 24, N.S.

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It had been given in charge to Tyrconnel to raise the Irish to a decided superiority over the English "interest," to the end that Ireland might offer a secure asylum to James and his friends, if by any subsequent revolution the king should be driven from the English throne; but the lord deputy had a further and more national object in view,—to render his native country independent of England, if James should die without male issue, and the prince and princess of

August 25. Orange should inherit the crown. For this purpose he employed the agency of Bonrepaus in England, and of Seignelay in France, to acquaint Louis XIV. with his intention, and to solicit his powerful aid.

Sept. 29. The French monarch, who looked on the prince of Orange as the most formidable of his enemies, received the overture with pleasure, and gave to Tyrconnel strong assurances of support; and it was mutually agreed that the project and all the subsequent proceedings should be carefully withheld, not only from the knowledge of Sunderland, to whom it was said that Tyrconnel was bound to pay the yearly sum of four thousand pounds out of his emoluments, but also from that of Barillon, whose intimacy with Sunderland exposed him to the suspicion of betraying every secret to that minister.[1]

In the prosecution of these views Tyrconnel turned his attention to the courts of law and the different corporations. On his arrival he found three Catholics,

[1] For this information we are indebted to the industry of Mazure, who discovered it in the despatches of Bonrepaus.—Mazure, ii. 287. See the despatches in Note (C). I am not, however, convinced of the accuracy of this information. It is difficult to reconcile it with the fact that James would never consent to Tyrconnel's favourite plan of repealing the Act of Settlement; and it is plain that the person who pretended to treat with him in the name of Tyrconnel could produce no authority or credentials from that nobleman.

in a short time he left but three Protestants, on the bench: and in imitation of the proceedings in England, he obtained by promises or intimidation, or writs of *quo warranto*, possession of most of the charters formerly granted to the cities and boroughs, and issued in their place others, which secured the nomination of members of parliament in favour of the court. Conceiving himself sufficiently powerful to bear down all opposition, he solicited of the king license to hold a parliament, in which, under the pretext of passing a supplementary act for the relief of the Irish claimants under the Act of Settlement, he might restore to the natives most of the property, of which they had been deprived during the sway of the commonwealth. Two of the judges, Nugent and Rice, arrived in England to explain the project to James, who considered it as amounting in substance to a repeal of the act, and likely to lead, in its consequences, to the dismemberment of Ireland from the English crown.[1] Not only did he refuse his assent, but seemed to lend a favourable ear to those who advised the removal of the lord deputy. Sunderland in his apology (but the reader will recollect that it was written after the revolution, and to mitigate the odium which he had incurred), claims the merit of having caused the failure of this project, and moreover of having rejected (what he was never known to have done on any other occasion) a bribe of forty thousand, perhaps fifty thousand, pounds, offered to him by Tyrconnel. If we may

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April.

[1] When this was proposed by Tyrconnel, Barillon writes, "Le "renversement de cet établissement fait en faveur des rebelles et des "officiers de Cromwell est regardé ici comme ce qu'il y a de plus "important, et s'il peut être exécuté sans opposition, ce sera une "entiére separation de l'Irelande d'avec l'Angleterre; c'est le sen-"timent général des Anglais."—Barillon, 16 Oct. 1687.

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believe one who was in the secret, both these assertions are equally false.[1] The public gave the whole credit to the opposition of the lords Powis and Belasyse, the latter of whom was reported to have said that the lord deputy was fool and madman enough to ruin ten kingdoms.[2] This was the last transaction of importance, with respect to the state of Ireland, at the time when the prince of Orange landed in England.

We may now revert to the personal history of James. Two years had elapsed since his accession. His popularity was already gone; the hopes excited by his first speech had been blighted by his subsequent conduct; and his assumption of the dispensing power, joined to the reckless and irritating manner in which he exercised it, had taught the friends of the established church to question their favourite doctrine of passive obedience. But the king, though aware of this change of public opinion, clung the more obstinately to his purpose, and it now became the first object of his policy to secure a majority against the next session of parliament. To effect this in the House of Lords, it had been suggested to him, that he might confer the honours of the peerage on several new families, or might call to the house the eldest sons of peers whose views were in conformity with his own.[3] But, unwilling to adopt either expedient with-

[1] Sheridan, the secretary of Tyrconnel, in the Stuart Papers.

[2] Secret Consults, 119. This tract, which was written by a warm partisan of King William at the time in which James was in possession of Ireland, though often cited, is, from its frequent contradiction of more authentic documents, entitled to very little credit. It may show what reports circulated in Ireland, but cannot be assumed as authority for facts. Even Ralph, who was obliged to have recourse to it for facts, deemed himself authorized to desert it, and give to those facts "such a turn, as seemed to him best to tally "with the characters of the persons spoken of, and the general "state of things" (i. 975).

[3] See Sunderland's conversation with the nuncio, in the corre-

out an absolute necessity, and trusting that the fate of Rochester—of one to whom he had been so constant and so munificent a friend—would teach others what they might expect from the royal displeasure, he resolved to exact from every public functionary the promise of his vote as the condition of his remaining in office. With this view he had recourse to private conferences, which obtained the denomination of "closetings." Of the men exposed to that ordeal, there were many who professed a readiness to submit their own judgment to the superior wisdom of the sovereign; but there were also many, who either boldly avowed their persuasion that the test acts were passed for the security of the church, and therefore, if necessary under a Protestant, must be still more necessary under a Catholic, monarch; or sufficiently intimated their opinion, while with more courtly language they begged to be excused from answering, because they could form no judgment till the question had been debated in parliament. James was accustomed to reply, that he sought nothing but freedom of conscience, the natural right of man, a right so evident, that he would not insult their judgment by undertaking to prove it. But he would deny that the test acts were enacted for the preservation of the church,—that was only the pretext; the real motive of those with whom they originated was to take from the throne the services of a body of men strongly devoted to its interests; but, even were it otherwise, the Catholics formed, and for a long course of years must form, so small a minority among the people, that it was ridiculous to apprehend from them

spondence of D'Adda, Mackintosh, 634. There were about two hundred placemen and pensioners in the House of Commons.—Ibid.

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any danger to the established church. But what, he would ask, had been the consequence of penal laws on account of religion? Instead of putting down the nonconformists, they had engendered jealousies, and heart-burnings, and persecution. Repeal them, and dissension would cease: men of different sects would look on each other as brothers, and all would unite in furthering the prosperity of the kingdom. In conclusion, he observed that he would never force any person's conscience; men must act as they judged most fitting; but they could not expect him to keep in employment those who would use the influence of office to oppose the measures which he deemed it his duty to pursue.[1]

This menace was put in execution; but in many instances it failed of success, and men seemed more desirous to obtain the honour of deprivation than to preserve the emoluments of office. The lords Derby, Thanet, Shrewsbury, Lumley, and Newport, Vice-Admiral Herbert,[2] and several others, cheerfully resigned their respective employments and commands; and the royal advisers, among whom from this period we are to number Penn, the celebrated Quaker, seized the opportunity to wean the king from his notions in favour of the established church, and to turn his attention to the dissenters. From the churchmen, with all their pretensions to loyalty, it was now plain that he could expect no aid. They had already dis-

[1] This account of the reasoning of the king, and of the answers of the closeted, is taken from Barillon, 17 Mars, 1687. See also the Ellis Correspondence, i. 235, 259, 265, 302, 338.

[2] The king was most surprised and indignant at the refusal of Herbert, who was indebted to him for all that he possessed. Milord Sunderland mi ha parlato con grand indignazione del fatto del detto Sebert (Herbert) esagerando la sua ingratitudine ed indignitá.—D'Adda, 21 Mar.

played, some an open, others a masked, hostility. But let him divest himself of his prejudices against other religionists; let him win their services by employing his dispensing power in their favour; let him establish by proclamation in England, as he had already done in Scotland, universal liberty of conscience. Then nonconformists of every class would be eager to display their gratitude; and interest, if not affection, would bind them to support the royal prerogative. He might then call a new parliament; the friends of religious liberty would rally round the throne; and the repeal of every penal statute would be accomplished without difficulty.

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Under this impression James had addressed a short speech to the privy council. During the four last reigns, he said, law upon law had been passed to enforce uniformity of doctrine. But experience had shown the uselessness of such enactments. Under them dissent had increased; they had led in his father's time to the destruction of the government in church and state: they had perpetuated to the present hour division in the nation, and all those evils which necessarily grow out of civil dissension. It was time to put an end to such a state of things. Conscience could not be forced; persecution was incompatible with the doctrines of Christianity; and it was therefore his resolve to grant religious liberty to all his subjects. In a few days the royal proclamation appeared. Though calculated to produce the same effect as the previous declaration in Scotland, it was expressed in very different language. As the English law did not recognise absolute power in the sovereign, nor give to the head of the church unlimited authority in ecclesiastical matters, he did not pretend

March 18.

April 4.

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to "cass, disannul, and remove," as he had done in his other kingdom, but was content "with suspending "the execution of all penal laws for religious offences, "and with forbidding the imposition of religious oaths "or tests as qualifications for office;" to which he subjoined an intimation, that he had no doubt of the concurrence of both houses of parliament in these two measures at their next meeting.[1]

By the different bodies of nonconformists the boon was received with feelings of gratitude and exultation. They paused not to consider its legality, or to inquire whether the prince, who thus suspended at his pleasure the execution of one description of laws, might not on subsequent occasions with equal right set aside the execution of others. In the delirium of their joy they crowded round the throne to express their gratitude for the benefit of religious liberty. The April 18. example was shown by the Anabaptists; the Quakers followed; then the Independents; next came the May 2. Presbyterians; and after them the Catholics, who were careful to attest their satisfaction that the benefit May 28. was extended to all Christian sects without exception, and their pride that it had proceeded from a prince of their own communion. James received these addresses with self-gratulation. He boasted that he had made his subjects an united people, that he had changed those, whom persecution had before rendered the most bitter enemies, into firm and interested supporters, of the throne.[2]

[1] Gazette, 2231.

[2] Kennet, 463—465. Echard, 1084. Ellis Correspondence, 260, 269, 274, 285. Gazette, 2234, 2238, 2241, 2243, 2244. Barillon, 28 Avril, 12 Mai, 2 Juin. The Quakers, that they might, without abandoning their principles, conform to the etiquette of the court, left their hats in Sunderland's office, so that they might of neces

But in all this there was much of delusion. If he had gained on one hand, he had lost on the other. The declaration confirmed the existing estrangement of the churchmen, who placed little reliance on his promise to preserve all the rights of the bishops and clergy, when they suspected him of a design to raise his own church to a superiority over theirs. There was another circumstance which added to their alarm, —a rapid and unexpected defection from the pale of the establishment; for numbers who, to avoid the penalties, had hitherto conformed to the legal form of worship, withdrew, as soon as it could be done with impunity, to attend those religious meetings which accorded better with their own sentiments.[1] In such circumstances they naturally sought to make allies of those whom they had formerly persecuted, and to infuse their own jealousies into other Protestant societies. They maintained that James had no right to the merit which he claimed; that he was at heart an enemy to liberty of conscience; that his real object was to blind the eyes of Protestants, till he had placed himself in a condition to oppress both churchmen and dissenters. They had before them the example of the king of France and the duke of Savoy. James would act like those princes.[2] In a

sity be uncovered when they were introduced to the king.—Barillon, 12 Mai. There were also addresses from the bishops and clergy of Chester, Durham, Lincoln, Lichfield and Coventry, and St. David's, and the chapter of the collegiate church of Rippon, but chiefly to thank the king for his promise of preserving the rights of the clergy.

[1] See Evelyn's Diary, App. 10. "There was a wonderful con- "course of people at the dissenters' meeting-house in this parish, "and the parish church (Deptford) left exceeding thin. What this "will end in, God Almighty knows!" (iii. 228).

[2] It has been said that he betrayed such intention when "he "declared his approbation of the cruelties of Louis XIV. against his

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few years the assertor of religious freedom would throw off the mask, and confine liberty of worship to the professors of his own creed. He had a standing army ready to draw the sword at his nod; he claimed a right to suspend the execution of the laws: where then could be the security for Protestants, whether they belonged or did not belong to the establishment? These suggestions made impression: the feelings of gratitude were checked by doubts and apprehensions; and James himself, whether it was through the precipitancy of his zeal, or the credulity with which he listened to the counsels of others, contrived by his own conduct to confirm the charges and predictions of his enemies.[1]

1. It was obviously the interest of a prince in his circumstances to abstain from every act which might be interpreted as an encroachment on the rights of the established church; and yet he seems to have chosen this very time to indulge in freaks of arbitrary power, which proved how little he cared for the immunities of the clerical bodies, and how much he despised their enmity and resentment. Some one had suggested to him that it would be highly beneficial if a few Catholics were admitted to reside in the universities on the same footing with Protestants: the experiment had been tried in Germany with the most happy result; and those antipathies, which usually divide religious sects, had been insensibly softened

"Protestant subjects."—Mackintosh, 131. But in the passage brought in proof of this assertion there is not even the shadow of any such approbation. "J'espere," said James to Barillon, "que "le roi votre maître m'aidera, et que nous ferons de concert de "grandes choses pour la religion."—Barillon, 12 Mai, 1687.

[1] Echard, 1085. Barillon, 17 Avril, 12 Mai, 2 Juin, &c. Burnet, iii. 153.

down by the intercourse of social life. This was the avowed, but there was another more secret, motive, —the hope of inducing men to profess themselves Catholics, when they saw that the honours of the university were equally accessible to the members of both communions. James sent a mandatory letter to Dr. Peachell, the vice-chancellor of the university of Cambridge, to admit to the degree of master of arts, without exacting from him the usual oaths, one Alban Francis, a Benedictine monk, and Catholic missionary in that neighbourhood. It was natural that the vice-chancellor should demur: he ascertained, though in an irregular manner, the sense of the senate, and a message was taken to Francis by the esquire-beadles, that his admission would be granted, subject to the usual qualifications. A second mandate was sent similar to the first, and after a long delay a petition was returned to the king, representing the reasons on which the senate had proceeded. That degrees had been conferred without any oaths on the Mahommedan secretary to the ambassador of Morocco, on foreign gentlemen in the suite of foreign envoys, and on natives of the rank of noblemen in the university, could not be denied; but it was contended that the case of Francis differed from all these: it was not with him a merely honorary distinction; his admission would open a gap through which men of all religious persuasions might find their way into the senate, and then vote on matters highly interesting not only to that body, but to the established church. It was now no longer a question whether Francis should be admitted, but whether the royal authority should be despised with impunity, and the unfortunate vice-chancellor was summoned before the ecclesiastical

Feb. 7.

Feb. 21.

Feb. 24.

March 11.

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commission to answer for his disobedience. He pleaded in his favour the several statutes, and his duty of enforcing those statutes: the crown lawyers replied, that the university had not exacted the oaths in the case of Dr. Lightfoot, that there was no instance of the refusal to obey a mandatory letter from the king, and that it was not to be tolerated that a literary body should presume to deprive the crown of the dispensing power, which had been awarded to it by the decision of the judges. In conclusion, Peachell was deprived of his office, and suspended during pleasure from the mastership of Magdalen College; and this judgment was followed by a sort of compromise, in consequence of which the university yielded so far as to elect a new vice-chancellor, and the king on his part suffered the pretensions of Francis to fall into oblivion.[1]

April 21.

May 7.

This dispute was yet pending, when James found himself engaged in a still more irritating contest with the university of Oxford. Dr. Clarke, the president of Magdalen College, one of the richest foundations in Europe, died; and letters mandatory were despatched to the fellows, recommending Mr. Anthony Farmer to their choice for the vacant office. Farmer had not

April 4.

[1] State Trials, xi. 1315—1340. James, ii. 125—127. Barillon, 19 Mai. Hist. of Eccl. Commission, 25. Preparatory to the appearance of Peachell before the commissioners, was published from the king's press a dispensation granted to the universities by Queen Elizabeth, permitting them, in opposition to the statute, to pray in Latin, "statuto illo prædicto de usu publicarum precum in con-"trarium non obstante." Then followed certain queries. If the queen had the power to dispense with the law in a matter of such importance as the public worship in the university, had not the king power to dispense in so trifling a matter as the taking an oath by a single master of arts? If the university had no other justification of their conduct in the daily violation of the statute but the queen's dispensation, how could they justify themselves in their resistance to the king's dispensation? See it in Ralph, 959, note.

the qualifications required by the statutes: though an inmate, he was not a fellow either of that college, or of New College in the same university; neither was he distinguished by the extent of his learning, or the regularity of his morals; his sole title to the royal favour sprung from the adroitness with which he had insinuated himself into the good opinion of some among the king's advisers, as a man of loyal principles, and well disposed to the Catholic interest. In Oxford it was immediately rumoured that he had conformed, or promised to conform, to the church of Rome: the fellows were exhorted not to place a papist at their head; and were told that to submit to the mandate would be to betray the rights of the college and the interests of religion. At length they subscribed a petition stating the ineligibility of Farmer, and praying that they might either proceed to a free election, or receive a different recommendation from the king. Had this paper been delivered to James, it might perhaps have spared him the mortification which followed; but Sunderland, having kept it four days, returned for answer that the royal will must be obeyed.[1] The fellows met for the purpose of election, and Mr. Hough, one of their number, obtaining the plurality of suffrages, was admitted president by the ordinary visitor, the bishop of Winchester. Both parties immediately appealed to the king. The fellows pleaded that their proceedings had been in strict accordance with the statutes and their oaths: the

April 9

April 15

April 16

[1] If Dr. Thomas Smith's account of the proceedings deserves credit, it is plain that the petition was not in the first place presented to the king, but given to Sunderland for presentation; and there is moreover reason to believe that the king knew nothing of the petition till after Dr. Hough's election.—Macph. Papers, i. 274; and State Trials, xii. 54, 55, 69.

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patrons of Farmer, that they had added insult to contumacy; they had not only disobeyed the mandate, but, after having solicited the king to name another person, had, without waiting for that nomination, chosen a president themselves. By James the case was referred to the ecclesiastical commission, which after several hearings declared Hough's election void, because a mandate to choose one person implied a prohibition of choosing any other, but advised the king to desist from the nomination of Farmer on account of the doubts which had been thrown on his moral character.

June 6, 2, 29.

A pause of six weeks ensued. Hough, in defiance of the judgment pronounced against him, continued to exercise the office of president, and James sought the most eligible means of conciliating the fellows without compromising his authority. At length he sent a mandate for a new election, recommending at the same time for their choice Dr. Parker, bishop of Oxford; but his imprudence had now evoked a spirit of resistance too fierce and obstinate to be laid by the terrors of the prerogative; and Parker himself was obnoxious as a prelate of courtly principles and suspected orthodoxy. The fellows replied that they could not obey; the office was not vacant; Dr. Hough stood in actual and legal possession. Thus the contest was renewed, and the members of a small literary society placed themselves in hostile array against the power of the sovereign. They depended on what they considered the righteousness of their cause, and were cheered by the assurance that they had with them the good wishes of the university and of the church of England. James, on the other hand, looked upon them as men who sought to invade his just rights, as

August 14.

apostates from the doctrine of passive obedience, which they had sanctioned by their celebrated decree, issued but four years before, and as the tools of his secret and designing enemies, whose object it was to breed an open division between him and the churchmen. Pride forbade him to yield: when, in his summer progress, he came to Oxford, he received the deputations from the other colleges with many gracious expressions; but at the sight of the contumacious fellows he was unable to control his anger; he addressed them with an asperity of language, and marks of indignation, ill-befitting a king; and when on their knees they offered him their petition, bade them begone, he would receive nothing from them till they had obeyed his mandate, and admitted the bishop for their president. CHAP. III. A.D. 1687. Sept. 4.

The fellows had borne unmoved the frowns of the sovereign; they had equally resisted the prudential arguments of Penn and of others calling themselves their friends; they were now summoned before Cartwright, the bishop of Chester, Wright, chief justice of the King's Bench, and Jenner, a baron of the Exchequer, who had lately, and for this very purpose, been appointed members of the ecclesiastical commission, and extraordinary visitors of the college. The first measure of these judges was to annul the election of Dr. Hough, who in return addressed them in these words: "My lords, I do hereby protest "against all your proceedings, and against all that you "have done or shall do, in prejudice of me and of my "right, as illegal, unjust, and null; and therefore I "appeal to my sovereign lord the king in his courts of "justice." The spectators expressed their approbation by applause; but the court proceeded to install the Oct. 21. Oct. 22.

CHAP. III. A.D. 1687.

bishop of Oxford by his proxy, to whom they gave by force possession of the president's lodgings. With this advantage the king would gladly have been satisfied; for he had long wished to extricate himself from a quarrel which he felt as a degradation, and in which his claim had been privately pronounced illegal by the chief justice Herbert.[1] But the intractable spirit of

Oct. 24.

the fellows still revolted: though they had been induced to make a qualified promise of obedience "as "far as was lawful and agreeable to the statutes,"

Oct. 25.

they revoked their word the next day; a new form of

Nov. 16.

submission was offered but refused, and five-and-twenty members were not only deprived by the

Dec. 10.

visitors, but declared incapable, with Dr. Hough, of holding ecclesiastical preferment, or, if laymen, of being admitted to holy orders. Thus, after a war of nine months, the king remained master of the field: his opponents were disseised of their freeholds; fourteen of the demies, who imitated their contumacy, shared their punishment; and the college, in virtue of successive letters mandatory, was repeopled with new men, a motley colony taken from the professors of both religions. It was, however, a victory of which he had no reason to be proud; for it betrayed the hollowness of his pretensions to good faith and sincerity, and earned him the enmity of the great body of the clergy, and of all who were devoted to the interests of the church.[2]

[1] "I utterly denied that dispensation to be of any force at all, "because there was a particular right and interest vested in the "members of that college, as there is in the members of many other "corporations, of choosing their own head."—State Trials, xi. 1263.

[2] James, ii. 119, 124. Kennet, 475, 481. Burnet, iii. 143, 150, and notes. History of Ecclesiastical Commission, 30, 52; the

At the very commencement of these contests with the universities, the moderate Catholics at court attempted to oppose to the mischievous counsels of Petre and Sunderland the prudence and influence of Mansuete, the king's confessor, a Franciscan friar from Lorrain. But the struggle quickly ended in the total discomfiture of the assailants; their champion was sent back to his native country with the character of a good man, but one unequal to so important an office; and his place was supplied, at the recommendation of Father Petre, by Father Warner, a Jesuit, and rector of the college at St. Omer.[1] This, however, was not the only mortification which awaited the moderate party. Hitherto they had prevailed (and their wishes, through the advice of the cardinals Howard and D'Estrèes, had been approved by the court of Rome), that D'Adda should execute his commission of nuncio to the king without the public assumption of that character. But James was taught to believe that the incognito which D'Adda preserved reflected disgrace on himself, as if he were ashamed to acknowledge his correspondence with the head of his church, or had not the power to protect from insult the envoy of a sovereign prince unacceptable to the religious prejudices of his subjects. At the

collection of documents in State Trials, xii. 1, 112; and Diary of Bishop Cartwright, p. 88.

[1] To spare the feelings of Mansuete, he was told that objection had been made to him because he was a foreigner: "Mais la verité "est, que ce bon Capucin n'est pas propre a cet emploi: ce sera "un Jesuite qui aura sa place, et le P. Piter est consulté sur le "choix."—See Barillon, 3 et 16 Mars, 3 Avril; Ellis, Cor. i. 68, 155. Warner, the confessor of James, must not be confounded with Sir John Warner of Parham, who became a Jesuit in 1667. The former had been provincial of his order, and was rector of St. Omer's College, when he was called to the English court. He died at St. Germain's in 1692.—Oliver, Collect. 200.

CHAP. III. A.D. 1686. Feb. 12. May 1.

earnest solicitation of the king, Innocent gave his consent; the nuncio, to add to his importance, was consecrated archbishop of Amasia by the titular primate of Ireland in the chapel at Whitehall, and a day was fixed for his public reception at court in his official character. The duty of introducing him was assigned by James to the duke of Somerset, first lord of the bedchamber; but that nobleman objected the penalty to which he should be exposed; and when the king offered him a pardon, replied that a pardon, promised before the offence was committed, would not be held valid in a court of law. "I would have you," said James, "fear me as well as the law." "I "cannot fear you," was the answer of the duke; "as "long as I commit no offence, I am secure in your "majesty's justice." Two days were allowed him to consider: at the conclusion the young duke of Grafton conducted the nuncio to Windsor in the royal carriage, and presented him to the king and queen. Somerset lost his place and his regiment of the guards. Hitherto he had incurred ridicule by his habits of vanity and arrogance, and was usually known by the appellation of the proud duke; but his spirited conduct on this occasion atoned for his past follies, and his disgrace invested him with honour in the estimation of the people.[1]

If the king hoped by the respect which he paid to the nuncio to conciliate the mind of the pontiff, it was not long before he was undeceived. At his prayer the purple had already been given to the queen's uncle, but no solicitation could prevail on the pope to dispense with the rules of the order and raise Father

[1] Barillon, 12 Mai, 14 Juil. Bonrepaus, 14 Juil. James, i. 116—218. Lonsdale, 24. Ellis, Correspondence, i. 272, 312.

Petre to the episcopal dignity. Castlemaine's patience was exhausted; he complained in bitter terms that to him and the Marshal d'Humières, the envoys of the two Catholic kings of England and France, no countenance was shown at the apostolic see; and he bluntly declared, that unless he had reason to expect a change of measures, he would immediately quit the papal court. Innocent was content with this laconic reply,—"Lei e padrone;" but he ordered the nuncio to demand satisfaction from the king for the insult offered to him by the ambassador. James, though he attributed the warmth of Castlemaine to exuberance of zeal, recalled him to England, and, in reward of his services, gave him a place in the council; but instead of intrusting his interests at Rome to the cardinal of Norfolk, committed them to the care of Rinaldo d'Este,[1] renewing at the same time his solicitations in behalf of Petre, not indeed for the mitre, which had been refused, but for the higher dignity of cardinal, which had occasionally been conferred on members of the society. But Innocent was inexorable; and James hastened to fulfil of his own authority his intentions in favour of his friend. The moderate party had persuaded themselves that the appointment of Petre as a privy counsellor had been cancelled in consequence of their representations: the fact was, that the king only waited to obtain the mitre or the hat for the Jesuit, that he might appear with greater

CHAP. III. A.D. 1686.

1687. June 26.

Sept. 25.

[1] Ceux, qui y ont travaillé, ont eu pour motif de decrediter le cardinal de Norfolk, que l'on croit n'avoir pas agi comme il devoit pour le P. Piters. Il y avoit une cabale de quelques Catholiques ici, qui avoient eu dessein de faire venir ici le cardinal de Norfolk; mais le projet a été renversé. Ceux qui sont liés avec le P. Piters et le P. Warner, confesseur, ont detourné le voyage du cardinal de Norfolk comme inutile, et ne pouvant produire que la division entre les Catholiques qui ne sont pas déja trop unis.—Barillon, 3 Nov.

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importance at the board. Wearied out with the reluctance or procrastination of the pontiff, he named Petre clerk of the closet; the next Sunday the new dignitary appeared in the chapel at Whitehall, not in the usual habit of his order, but in that of a secular priest; and a few days later he seated himself among the privy counsellors by command of the sovereign. It is difficult to describe the astonishment, the vexation, with which the intelligence of this appointment was received by the great body of the people. The enemies of James secretly hailed it as an event most favourable to their wishes: by the Catholics it was deplored as a common calamity. To prevent a repetition of their remonstrances, the design had been concealed from their knowledge; and now that the appointment had been publicly announced, it only remained for them to bewail the infatuation of the monarch, and to await in despair the revolution which he was preparing by his own precipitancy and imprudence.[1]

Nov. 6.

Nov. 11.

Sunderland had not yet lost sight of the treasurer's staff, the original object of his ambition. In May he had become a pretended convert to the church of Rome, having made his abjuration in the hands of Father Petre.[2] The fact, for reasons of state, was

[1] James (Memoirs), ii. 77. Burnet, iii. 158. Wellwood, 158, 160. Barillon, 15, 26 Mai, 23 Juin, 6 Oct., 17, 24, 27 Nov. Dodd, iii. 511, 533. In the Gazette announcing the appointment he is called "the honourable and reverend father Edward Petre, clerk "of the closet to his majesty."—Gazette, 2294.

[2] "This worthy lord," says the Princess Anne to her sister (Mar. 13, 1688), "does not go publicly to mass, but hears it pri-"vately at a priest's chamber, and never lets any body be there but "a servant of his."—Dalrymple. 299. Lady Sunderland on the other hand affected extraordinary zeal for Protestantism. "She "is a constant churchwoman, so that to outward appearance one "would take her for a saint." "She plays the hypocrite more

kept secret; but it confirmed the confidence of the king in the attachment and fidelity of the proselyte. The introduction of Petre into the council had been preceded by that of Sir Nicholas Butler, formerly an Anabaptist, but now a pretended convert of Petre's, and a dependant of Sunderland; and it was soon evident that these three, Sunderland, Petre, and Butler, monopolized the direction of public affairs.[1] About Christmas the attempt, which had been so long in agitation, was made. Petre and Butler represented to James the necessity of appointing a lord high treasurer, and the fitness of the lord president for that office. But the king was inflexible: he replied, in conformity with his first declaration, that he would never confer an employment of such extensive influence on any subject. Sunderland ventured to solicit the interference of the queen; but her answer was so decisive and discouraging, that he saw the prudence

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"than ever. For she goes to St. Martin's morning and afternoon "(because there are not people enough to see her at Whitehall "chapel), and is half an hour before other people come, and half "an hour after every body is gone, at her private devotions. Sure "there was never a couple so well matched as she and her good "husband; for as she is throughout in all her actions the greatest "jade that ever was, so is he the subtillest workingest villain that "is on the face of the earth."—Ibid. et 301.

[1] This is represented by Barillon as "une grande augmentation "de credit pour Myl. Sonderland, de qui les deux autres sont en "quelque façon dependants, et ne sont pas informés des affaires au "point qu'il est."—Barillon. 18 Déc. But Bonrepaus, the other French envoy, entertained a very different notion. "Le roi connoit "bien le caractére de M. Sonderland, qui est ambitieux et capable "de tout sacrifier à son ambition; et quoiqu'il n'ait pas une grande "confiance en lui, il s'en sert, parcequ'il est plus dévoué qu'un "autre, et qu'il s'abandonne absolument a suivre tous les sentimens "de son maitre pour l'établissement de la religion Catholique . . . "ce qui paroit au public de la faveur de M. Sonderland n'empéche "point qu'il ne soit dans une grande dépendance du père Piter, qui "seul a l'entiére confiance du roi. . . . Il fera chasser M. Sonderland "dès que l'envie lui en prendra, ne manquant point de prétexte pour cela."—Bonrepaus, 4 Juin.

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of desisting from a suit, which, if it were urged with pertinacity, would probably lead to his disgrace.[1]

While the king was occupied with these petty contests and intrigues, he did not lose sight of the great object of his ambition. To proclaim liberty of conscience was but a preparatory step; he saw that it required something more than a royal proclamation to give stability to the benefit. The dispensing power, on which its existence rested, afforded only a frail and precarious support, which circumstances might compel him to withdraw, and which at all events would fail at his decease; and, to procure the sanction of the legislature in its favour, as long as the present House of Commons continued in being, appeared a hopeless and dangerous attempt. Still he persuaded himself that what one parliament had refused, might be obtained from another. Let only the influence of the crown be brought jointly with that of the dissenters to bear on the elections; then new members favourable to the measure might be returned, and several of its most formidable opponents be perhaps excluded, those especially whose intimate connection with the prince of Orange had thrown a shade of suspicion on their loyalty. Impressed with these notions, he suddenly dissolved the parliament. Since the close of its first session, it had never been permitted to sit for the despatch of business; but had been continued by successive prorogations from time to time during the space of two years.

July 2.

His next object was to prepare the public mind for the convocation of a new parliament. With this view (1.) he commenced a progress during the summer from London to Bath, and continued it from Bath to

August 16.

[1] James (Memoirs), ii. 131, 132. Lonsdale, 25.

Chester,[1] visiting the most populous towns, in which he was received with acclamations, and calling around him the resident gentry, whom he sought to conciliate by affability, and to convince by argument. He assured them that he cherished no hostility against the established church; and that, if he wished to abolish the test, it was because he considered it an unjust and barbarous enactment, which, as it had failed of its principal object,—*his* exclusion from the throne, ought not to be perpetuated, when its only effect would be to inflict on others the penalties that had been devised against himself. It could not be a necessary safeguard for the church, since the church had so long existed without it; nor would its repeal affect the constitution of the House of Commons, since Catholics would still remain, as they had been for a century before, excluded from that house; and certainly, as long as one branch of the legislature, the Lords, consisted principally, and another, the Commons, totally, of Protestants, *he* must be an unreasonable man who could entertain any fear for the safety of the Protestant religion. James was of a sanguine disposition. As he had mistaken the partial acclamations of the dissenters for the voice of the whole population, so he mistook the respectful silence with which men listened to his reasoning for a sufficient proof of their assent. His ministers were more sagacious; they saw how deeply rooted was the public distrust of his measures, but were careful to conceal their apprehensions from the knowledge of their sovereign.[2]

[1] At Chester, Penn and Barclay preached in favour of the declaration, and some of the courtiers bathed at Holywell.—Barillon, 16, 20 Sept.

[2] "Le roi croit que son voyage lui a servi à ramener les esprits "et que les peuples ont été détrompés de beaucoup de faussetés."—

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2. At the same time the "regulators," a board established under the pretext of reforming the abuses in corporations, received orders to mould these bodies in conformity with the views of the court; and instructions were given to the lords lieutenants of the several counties, (1.) to make out lists of persons devoted to the king, and on that account fit to be appointed mayors and sheriffs, that the returning officers might be in the interest of the crown; and (2.) to assemble their deputies and the magistracy, and to put to each individual the three following questions:—If you are chosen to the next parliament, will you vote for the repeal of the Test Act and of the penal laws? Will you now give your aid to those candidates who engage to vote for that repeal? Will you support the declaration for liberty of conscience by living peaceably and like good Christians with men of different religious principles? The king's object could not be doubted; and the Gazette significantly intimated that continuance in office would be made to depend on the answers which should be returned. Many replied in the affirmative; but most availed themselves of a printed form which was circulated through the country for their adoption; that they could not engage their votes on any particular question, till its merits had been debated in parliament; that they would support such candidates as possessed the necessary qualifications; and that they sought to live in peace with all men, unless his majesty's interest and the government established by law required the contrary. Though

Dec. 11.

Barillon, 20, 29 Sept. "Le roi d'Angleterre est fort gai, et croit "que toutes ses affaires vont bien. Ses ministres ne le contre "disent point dans ses pensées: mais je pénétre clairement que "Myl. Sonderland n'est pas sans quelque trouble intérieur."—Bonrepaus, 9 Oct.

from these replies James learned the unwelcome truth that his favourite measure was displeasing to a great majority among the higher classes of his subjects, yet he could not prevail on himself to desist from his pursuit, and only postponed the calling of a parliament to some future and more favourable opportunity.[1]

Before we proceed to the fourth and last year of this inauspicious reign, it will be proper to call the attention of the reader to the numerous causes of irritation and estrangement which previously existed between the king and his nephew and son-in-law, the prince of Orange. William's advocacy of the bill of exclusion, and his reception of Monmouth during the life of Charles, were offences not easily forgotten; and the reconciliation which he sought and obtained on the death of that monarch was soon afterwards shaken by his strange and ambiguous conduct in relation to the expeditions under the earl of Argyle and the duke of Monmouth. From all the circumstances it is plain that, if at first he knew not of the design, it was because he preferred to be ignorant; and that, if his orders to prevent their departure were subsequently disregarded, it was because he did not mean them to be obeyed. James, however, deemed it prudent to dissemble. The plea of ignorance advanced by the prince was accepted, though not believed; and his offer of coming and fighting in person against the usurper was declined, under the pretence that his presence at the Hague was necessary to prevent the transmission of succour to the enemy. The victory of the king at Sedgemoor put an end to this uncertainty.

[1] Gazette, 223. Lonsdale, 15, 16, 19. Reresby, 251. Dalrymple, 223. Kennet, 469, 470. Bonrepaus, 4 Déc. Burnet, iii. 183.

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William tendered his congratulations to his uncle; James returned a gracious and affectionate answer; and an active correspondence was established, in which these near relatives endeavoured to disguise their mistrust of each other under expressions of the warmest attachment.[1]

There existed two parties who deemed it equally their interest to prevent any cordial union between the uncle and the nephew. The French king, aware of the inextinguishable hostility of William, ordered his ambassador D'Avaux to watch with care the conduct of the prince; and by that minister every circumstance which admitted of an unfavourable interpretation was communicated to Barillon in London, whose office it was to represent it to James under such colouring and with such comments as he thought most likely to awaken suspicion in the royal breast. On the other hand, the British exiles in Holland, together with the discontented in England, while they inflamed the ambition of William with the prospect of the English crown, were careful to alarm his jealousy by attributing to the king designs against the hereditary rights of William's wife. To enumerate all the causes of dissension discovered or created by these opposite advisers would tire the patience of the reader; the principal may be arranged under the following heads: 1. Holland was become the common refuge of all who during the last or present reign had fled from prosecution on account of political offences. There they assembled to talk over their real or supposed wrongs, arranged plans for the annoyance of the government in England, and formed connections with

[1] James (Memoirs), ii. 26. Dalrymple, 123, 124, 126, 131 Fox, App. 81. Clar. Corresp. 124, 125, 127, 130.

men of similar sentiments in their native country. That James should demand their removal, was natural: he sought not, he said, to deprive them of an asylum, but to cut off their facility of communication with England, by compelling them to reside at a distance from the sea-coast. He complained to the States; but his complaints, through the influence of the prince, were disregarded: he remonstrated in stronger terms, and was answered that the delay arose from the number of authorities to be consulted, and the slow form of proceedings in the States: at length he had recourse to intimidation. It was observed that he suddenly turned his attention from the army to the navy; that a great number of ships had been put in commission, and that the workmen were employed night and day in the docks and arsenals. When Van Citters, the Dutch ambassador, inquired the object of this armament, James merely replied that he had no intention of disturbing the peace of Europe; but one of the ministers gave the envoy to understand, that if the States sought to avoid a war, it would be necessary to comply with the king's demand.[1] This hint had its effect; and the exiles were ordered by proclamation to withdraw from the maritime districts of the republic. The order, however, remained a dead letter, excepting at the Hague; and the prince, careful not to offend men whose services he might afterwards require, though he abstained from open communication with them himself, occasionally met them in private, and kept up a correspondence with their

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[1] Je lui dis que ce qu'il me disoit resembloit fort à une declaration de guerre. Sur quoi il répondit: Je ne prononce pas le mot de guerre, mais c'est à vous à considérer ce que je veux dire.—Lettre de M. Van Citters, 2 Août, 1686.

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chiefs through his favourite counsellors, Fagel, Bentinck, and Halweyn.

2. The maintenance by the States of six British regiments on the continent, revocable by the crown in the case of invasion or rebellion, was supposed to bring with it this advantage, that the king, on any sudden emergency, would have at his command a disciplined and native force, without the previous expense of their support in time of peace. During the attempt of Monmouth, the experiment was partially made; when it appeared that the regiments brought to England were more disposed to fight in the cause of the usurper than of the legitimate sovereign. This furnished another source of irritation. James sought to reform the brigade by cashiering the officers of doubtful fidelity, and supplying their places with men of more loyal principles and connections. But William, the commander-in-chief, was perfectly satisfied with the existing constitution of the regiments. He looked to them for aid in the event of his contending for the English crown; and therefore made it his object to keep them under the guidance of officers whose interests were identified with his own. To the demands of the king he opposed delays and objections, which provoked complaints and remonstrances. By dint of perseverance James procured the removal of those whom he named as his enemies; but in the appointment of others to succeed them, little regard was paid to his recommendation. William steadily refused commissions to all whom he suspected of being attached to the king or the Catholic faith, while, on the other hand, he sought out men dependent on himself, and particularly the officers who had been discharged by Tyrconnel from the army in Ireland. The conse-

quence was that, in the following year, these regiments hesitated not to draw the sword against their natural sovereign, and cheerfully accompanied the prince in his expedition to England.[1]

3. If the king had reason to complain of the conduct of his nephew, the nephew in justification of that conduct pleaded the necessity under which he lay of providing against the hostile designs attributed to his uncle. Barillon in his first despatches after the accession of James suggested a notion that the prince, the great enemy of Louis, might perhaps be subsequently excluded from the succession; not that any such project was already in agitation, but that he thought it a contingency which might at a later period be brought about by the course of events.[2] The course of events seemed likely to verify the foresight of the Frenchman. James, possessing a powerful army and navy, and exercising, in spite of opposition, the dispensing power, had openly declared his resolution to emancipate his Catholic subjects from the restrictions imposed upon them on account of their religious creed; and by repeated invasions of the rights of the established church had provoked a general suspicion that he had in view something more than mere emancipation. In such circumstances men naturally asked themselves the question, in what manner could he accomplish his purpose? Should he succeed during his own lifetime, yet it was evident that the fabric which he had reared with so much

[1] D'Avaux, Lettres du 12 Juin, 14 Août, 1687; 2 Avril, 1688.

[2] That such was the real meaning of Barillon will appear from his letters of March 12 (2, O.S.), and 16 (6, O.S.), and from the reply of Louis on April 4 (March 25, O.S.): "Il est bien à souhaiter "que ledit roi puisse porter la princesse Anne sa fille à embrasser "la religion Catholique, mais il n'y a pas lieu de croire qu'il puisse "éloigner par ce moyen la princesse d'Orange de la succession."

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trouble would crumble into dust on the succession of the prince of Orange. Hence an opinion came to prevail among all parties, that he would remove his nephew from the succession, and supply his place with a more obsequious candidate for the royal favour.[1] Reports of the king's supposed intentions were forwarded with due exaggeration to William, and the alarm which they created in his mind formed the bond that connected him with the exiles in Holland and the disaffected in England. He stood in need of their help to defend his claim, they stood in need of his to dethrone the king. In quality of stadtholder he had the command of the army in the United Provinces, and hence had been able to control the will of the king with respect to the English regiments, but he had no control over the admiralties, and yet a formidable fleet was as necessary for his purpose as a formidable army. On this account his great advocate, the grand pensionary Fagel, repeatedly proposed to the States General the levy of nine thousand seamen,

[1] In March, 1686, Bonrepaus, the French agent, a weak and confident man, who was constantly intermeddling in matters which did not concern him, had made to the Lady Anne a present of some French controversial tracts, and from the gracious manner in which she received his present, very sapiently concluded that she was willing to conform to the Catholic worship. With equal wisdom he concluded from some words which he elicited from the Danish ambassador, that Prince George, the husband of Anne, was willing also to change his religion, if that change were to be rewarded with the first place in the succession. This information he sent to Seignalui to be communicated to the king of France. From his letter it is plain that the question of the succession was often debated in private circles; but there was no reason to suspect James of having hitherto adopted any project of inverting the regular order. Bonrepaus had no doubt the king *would do so* at some time or other: a proof that he had not done so yet, as far as that agent could learn. "On peut croire que sa majeste Britannique *donnera* volontiers dans ces sortes de projets."—Lettre à Seignalui, Mars 28 (18, O.S.).

under the pretext that the kings of England and France had determined to invade the maritime provinces. But the proposal was as often refused, on the ground that no satisfactory reason had been alleged for its adoption.[1] The refusal was a signal victory for James; another equally important followed,—the order already mentioned that the English and Scottish exiles should withdraw from the sea-coast into the interior of the country.[2]

It was at this moment, when James seemed to have acquired a preponderating interest in the legislature of the republic, that a most singular state paper, supposititious undoubtedly, but said to be a minute of the English privy council,—how it had been purloined, or through whose hands it had passed, was never explained,—found its way into the possession of Van Citters, the Dutch ambassador at St. James's. It purported to be "a remonstrance addressed to the king "by his council." There was much in this title to provoke a suspicion of fraud; and much more in the body of the document to strengthen that suspicion. In it the council was made to assert that, if the king wished to reign in peace and safety, he must begin by subduing the United Provinces, where his rebellious and disaffected subjects were constantly patronized and protected. For this purpose they advised him to declare war immediately, to demand a competent supply of money from his parliament, and if that were refused, to levy it by force in virtue of his prerogative; in which case he might be assured of additional aid from the king of France. They also reminded him of his great object, the establishment of the

[1] Négoc. D'Avaux, v. 143, 145, 150, 153.
[2] Dalrymple, iii. 167, 168.

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Catholic religion in his dominions. To accomplish this, it might be necessary for him to make a sacrifice of his independence, and to invest Louis with the right of appointing a Catholic successor; not that such necessity would probably ever happen; but, if it did, it would be his duty to submit, for it was much better that his subjects should be made to practise the Catholic worship under a foreign prince, than that they should live free from all foreign yoke, but slaves under the yoke of the devil. Such was the substance of this extraordinary instrument, and when we consider its obvious tendency to call into action the angry passions, the religious and national antipathies of both Englishmen and Hollanders, it is difficult to suppress the conclusion that it had originated with some of those who were actually plotting both in England and Holland the dethronement of the king.[1]

Armed with this document, the ambassador waited upon James, who, receiving it from him, perused it leisurely and attentively, and then pronounced it an impudent fabrication proceeding from the British exiles in Holland. The fabrication was tacitly admitted by Van Citters; but he appeared anxious to remove from his own country the odium of having given birth to the imposture, and declared that the paper had come to him through the hands of Catholics; that it had been composed by one, whose name, if it were divulged, would fill the king with astonishment; and that, whatever it might be in other respects, it

[1] The "Remonstrance" had probably reached Van Citters in the English language, that it might appear a transcript from the supposed original. To us it has come down in a French dress only, apparently a translation; but, if it be a translation, it is the work of some one not accustomed to French composition. Mazure has copied it, but with improvement in the style, vol. ii. 161.

exhibited a fair sample of the opinions and doctrines held by the priests at Whitehall. This attempt to mystify and mislead was too palpable to escape the observation of James, who treated "the remonstrance" with sovereign contempt. It was beneath his notice, the counterpart of those despicable libels on his character which issued almost daily from the press in Holland. He would not even do it the honour to betray any solicitude respecting the name of its author; but manifested the deepest indignation at the suggestion that, in order to secure a Catholic successor, he should pass by the Lady Mary and the Lady Anne. No man, he said, could think him capable of so criminal and unnatural an act, who knew how tenderly he had always loved his daughters. There was no one among his friends, no one among his priests, who would dare to hold such language in his presence. With equal warmth he spurned the advice that he should become a pensionary of Louis. He was king of England, and therefore the equal of the king of France and the king of Spain. Chancing to cast his eye on the word vassal, he exclaimed, "Vassal, Sir? vassal of the king of "France? I would have you know that, if my parlia- "ment had consented, I would already have raised, "and, if it were now to consent, I will still raise this "monarchy to as high a degree of power, as was ever "possessed by any of my predecessors: nor would your "republic be a loser if that were to be the case."[1] In

[1] "Vassal! Vassal de la France! Monsieur, si le parlement "avait voulu, et s'il vouloit encore me donner les moyens néces- "saires, j'aurois porté la monarchie, et je la porterois encore, à une "aussi haut degré de consideration qu'elle ait jamais été sous le "regne d'aucun des rois mes prédécesseurs: et cela ne seroit peut- "être pas mauvais pour votre état."—Lettre de Van Citters, 27 Août.

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conclusion he dismissed the ambassador with the assurance that he hoped to live in amity with the United Provinces, and that he entertained no hostile design against them; an assurance given with such earnestness of manner and such appearance of sincerity, that it made a deep impression on Van Citters.[1] After this we hear nothing more of the "remonstrance." The tact and ability with which the king had conducted this conference, and the contempt which he uniformly expressed for the whole intrigue, rendered the imposture impotent and harmless. His enemies, however, were not to be silenced by a single defeat, and we find that during the rest of his reign, other forgeries for similar purposes repeatedly issued from the same manufactory in Holland.

Notwithstanding the protestations of James to Van Citters, the jealousy of the prince was still kept alive by the arts of his counsellors, who persuaded him to demand of his father-in-law a yearly income to be settled on the princess in quality of the heir presumptive to the crown. This would have been an official recognition of her right, and was strongly recommended by some of the Catholics in the English council anxious to secure the favour of their future sovereign. But James was not so prodigal of his money, as to bestow it on one who would probably employ it against the donor, and eluded the demand with this answer, that no income could be claimed by the heir to the crown, unless that heir were resident within the kingdom.[2] Defeated in this pursuit, Wil-

[1] Lettre de Van Citters, 27 Août. If I have been tediously diffuse on this worthless fabrication, it is because it has sometimes been mistaken and quoted for an authentic document.

[2] D'Avaux, 10 Janv. 1687; 20 Mai, 1688. Burnet, iii. 125.

liam at last adopted a plan to get into his possession the supposed competitor of his wife. Prince George had gone to Denmark on a visit to the king his brother; and Anne was persuaded to express a desire of spending the time of his absence in the company of her sister Mary. By James permission was cheerfully granted; but in a few days he repented of his facility, and revoked his word, under the pretence that it was contrary to sound policy to allow both sisters, the next heirs to the crown, to be at the same time within the power and control of any foreign state.[1]

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4. The real expedient, by which the king hoped to give stability to his plans in favour of his Catholic subjects, did not contemplate any change in the succession. He had persuaded himself that William might be induced to approve of the general abolition of the penal laws on matters of religion now, and to pledge his word that he would maintain that abolition even after he should succeed to the throne. For this purpose James despatched to Holland Sir William Penn, the celebrated Quaker, that he might read lectures on toleration to the prince and princess, and might convince them that all restraint on the freedom of religious worship was contrary to the unalienable rights of conscience. But the address and eloquence of Penn were foiled by the cunning of a more welcome adviser, who suggested an answer subversive at once of the king's views and expectations; that, hostile as they were to persecution, yet they would never give their consent to the repeal of the Test Act, because that act was necessary for the preserva-

1 Barillon, 13, 19, 24 Mars, 1687. Rochester and Churchill were suspected by the king as the advisers of Anne in this instance.

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tion of the Protestant faith.[1] This adviser was Burnet the historian, who, having deeply offended the royal brothers during the reign of Charles, had asked and received permission to travel on the accession of James. From Italy he came back to Holland, where he was invited to the court of the prince, and soon acquired a high degree of favour and confidence. His knowledge of men and parties rendered his information most valuable; and his character as a theologian enabled him to do to his patron a most acceptable service, by persuading the feeble mind of the princess that the law of England, which, in the event of her succession to the crown, would give her the superiority over her husband, was contrary to the law of God, which made her at all times subject to her husband's authority; and that she was therefore bound in conscience to transfer to the hands of the prince the sovereign power which she might subsequently inherit as her birthright. Under this impression, sending for William, she made to him, in the presence of her instructor, a solemn promise, that, whatever authority might subsequently devolve on her, should be possessed and exercised by him; he should bear the sway, she would demean herself as a loving and dutiful wife; nor did she ask any other return for this proof of affection than that, as she practised one command, *Wives, be obedient to your husbands in all things*, so he would practise the other, *Husbands, love your wives.* By these words she alluded to his amour with Mrs. Villiers, afterwards Lady Orkney, but William, though he exacted from her the benefit of the promise, was careful to absolve himself from the obligation of complying with the condition.[2]

[1] Burnet, iii. 132, 133. D'Avaux, 23 Jan. 1687.

[2] Burnet, iii. 123, 131. "Ever after that, he seemed to trust

5. Skelton, who represented the king of England at the Hague, had incurred the displeasure both of the States and of the prince: of the former in consequence of an attempt to seize, with the aid of some English officers, the person of Sir Robert Peyton, one of the outlaws; and of the latter on account of some real or imaginary interference with his amours, which were publicly known, though William sought to persuade himself that they were wrapt in impenetrable obscurity.[1] James transferred Skelton to the higher post of ambassador at Paris, and chose for his successor White, a native of Ireland, who had been frequently employed at Brussels and Madrid by Charles II., and was generally known by the name of marquess of Albeville, which title he had accepted from the emperor in lieu of the pecuniary compensation due to his services. Albeville was a Catholic, and therefore less acceptable to the States, but more likely to execute with fidelity the commissions with which he was charged.[2] He took with him the royal recom-

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"me entirely." Burnet describes the suggestion as originating with himself; Lord Dartmouth infers from the very narrative, that he was employed by the prince.—131, note.

[1] See the intercepted letter from Dr. Covell to Skelton, on the conduct of the princess under the bad treatment which she received from her husband, in Clar. Corresp. i. 165. Covell was her chaplain, and was in consequence dismissed by the prince.

[2] He had formerly rendered some service to the king of France, and before his departure Barillon not only made him a present of three hundred guineas in the name of Louis, but added the promise of a pension. In return he engaged to communicate with D'Avaux at the Hague, and to send information for Barillon in letters to Sunderland, though he was ordered to correspond officially with the other secretary, the earl of Middleton.—Barillon, 2, 23 Sept. 1686; 3 Mars, 1687. At the Hague he laboured so earnestly to reconcile James and the prince, that D'Avaux doubted his sincerity; but that doubt soon vanished, and D'Avaux obtained for him another gratuity of one hundred and fifty guineas in addition to his pension. —D'Avaux, 23 Janv.; 12 Juin, 1687. See also Burnet. iii. 163.

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mendation in favour of the officers implicated in the attempt upon Peyton, and though he could not prevent them from being cashiered, was suffered to convey them in safety to England.[1] He also succeeded, though with considerable difficulty, in procuring the removal of Burnet from the court of the prince: but it was little more than a nominal removal; for though William no longer spoke to him in person, he continued to consult him on English affairs, through the agency of his confidential advisers Halweyn and Dyckvelt.[2] But with respect to the two great objects of his mission Albeville was unfortunate. It was in vain that he assured the prince of the king's resolution to preserve the legal descent of the crown; that he had never entertained, that he could not for a moment entertain, a thought so wicked and unjust, as that of depriving his own daughter of her hereditary right. The assurance was received with outward acknowledgments, and with inward distrust. Neither would William listen to the arguments of the ambassador in favour of a total liberty of conscience. He was, he said, a friend of toleration, but only in a limited sense: he wished the Catholics in England to enjoy all those liberties which were enjoyed by the Catholics in the United Provinces. But he dared not consent to the abolition of the Test Act, because it was the only security of the established church under a Catholic monarch.[3]

Oct. 10.

6. Soon after the mission of Albeville, new jeal-

[1] D'Avaux, Lettres du 30 Janv.; 27 Mars; 14 Mai. Burnet, iii. 173. He tells us that he suggested to the princess the answers which she returned to her father, who had required her to dismiss Burnet.

[2] D'Avaux, Lettres du 23 Janv.; 24 Avril.

[3] D'Avaux, Lettre du 23 Janv.

ousies and alarms were excited by the disgrace of Rochester and the proceedings of Tyrconnel. Messengers from England arrived at the Loo and the Hague, and Fagel, Bentinck, and Halweyn consulted with Burnet and the chief of the outlaws; but William was too cautious to listen to those who advised an immediate recourse to arms; and, doubting the fidelity of the representations made by his English adherents, he sent to London as his agent Dyckvelt, a statesman of acute observation and consummate ability. To elude suspicion Dyckvelt was invested with an extraordinary mission from the States, and instructed to inquire into the destination of the armaments said to be in preparation in the English ports.[1] But James, who was acquainted with his real object, complained in bitter terms of the distrust and duplicity of his son-in-law; and to the question of the ambassador replied that he had neither the intention of disturbing the peace of Europe, nor of interrupting, as was still rumoured, the legal line of succession.[2]

Dyckvelt remained four months in England, and

[1] Dyckvelt had his first audience on the 3rd of March: on the 7th the countess of Sunderland wrote to the prince the extraordinary letter preserved by Dalrymple (187) to caution him against any negotiation for the abolition of the test and penal laws.—See Note (D).

[2] D'Avaux, 6 Fév. Burnet, iii. 164. James was aware beforehand of the object of this mission. "Le Prince d'Orange," disoit le roi, "juge des autres par lui même. Il croit, parcequ'il a été d'avis "de m'exclure, que le même dessein pourroit me venir dans l'esprit. "Cependant ceux qui me connoissent, me croiront fort éloigné "d'une pensée si injuste et si impracticable. . . . Il prend la re- "solution de faire envoyer ici par les Etats un homme qui lui est "entièrement affidé, par le moyen duquel il espére fortifier et en- "courager tous ceux qui sont de son parti. . . . Il juge de moi par "lui même. Mais il se tromp fort. C'est Dieu qui donne les "couronnes, et mon intention est bien loin de rien faire contre "la justice et le droit."—Barillon, 27 Janv. 1687

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seems at first to have flattered the king with some hope that the prince would assent to the removal of the test and the penal laws. For William was then busily employed in his favourite project of forming a general confederacy against the power of France; which rendered it of importance to him to win over, if it were possible, his father-in-law, and to avoid all cause of offence to his Catholic allies. Hence it probably was, that when the king published the declaration of liberty of conscience, the envoy spoke of it in terms of high approbation, as a measure dictated by justice and religion; but, before his departure, it became necessary that he should disclose the refusal of William both to James and to the ambassador of the prince's ally the king of Spain. To the latter he excused it on the plea that the repeal of the test would throw the power of the kingdom into the hands of the dissenters and the Catholics; of the dissenters, who were republicans by principle, and of the Catholics, who were the dependants of their common enemy, the king of France. His apology to James was received with evident marks of displeasure. The prince and princess were not to suppose that their opposition could compel him to recede from his resolution. But he called on them to submit their judgment to his. It was their duty; for he was the head of the family, and had a right to their obedience.[1]

April 4.

Dyckvelt, in the meantime, faithful to his instructions from the prince, had improved the opportunity to learn the strength of the royal army, the state of the royal finances,[2] and the feelings and resources of

[1] See Despatch of Ronquillo in Mackintosh, 681, and of D'Adda, 640; also Barillon, 12 Juin.

[2] According to Bonrepaus, who had seen the treasury accounts, James, after payment of all expenses, had a surplus of one hundred thousand pounds per annum.—Lettre du 4 Juin.

the several parties. He communicated personally or by letter with the secret adherents of William, assured the discontented that the prince would never submit to any measure which could weaken the ascendancy of the established church, and advised the dissenters to stand aloof from the contest, and to expect from the successor of James a more legal and permanent toleration. He had even thrown out to the Catholics a promise, that if they would deserve it by their conduct, they should find in William a protector from the future vengeance of their enemies.

June 9. At his return to Holland he took with him letters filled with expressions of attachment, and offers of service, to William, from the marquess of Halifax, the earls of Shrewsbury, Bedford, Devonshire, Clarendon, Sunderland, Danby, Nottingham, and Rochester, the bishop of London, the lords Lumley and Churchill, Admiral Russell, and several other individuals of high rank and extensive influence. It was not that all these aimed at the same object, or were even acquainted with the views and opinions of each other. Halifax, Sunderland, Clarendon, and Rochester chiefly sought to secure the good-will of the prince, whom they looked upon as the probable successor to the throne: but most of the others went much further: Danby, even in the days of his power, had sought the friendship of the prince in opposition to James; the bishop,[1] and Devonshire, Bedford, Shrewsbury, and

[1] The best excuse for the profane style of the bishop's letter, is that he was afraid that it might be intercepted, and his secret discovered. In it he prays to God that no trouble may come to the king, at the very moment that he was labouring to dethrone him; and asserts that the reason why the prince is so much prayed for (desired) in England is, because every one knows that he is the surest foreign friend on whom the king in case of trouble would rely for assistance.—Dalrymple, iii. App. 199.

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Lumley had private wrongs to revenge: the two last, who had abandoned the Catholic faith, were also anxious to display their zeal for the creed which they had chosen; and all these solicited from William an armed interference, which, while it should establish religion and liberty, might secure the succession to him and his wife, perhaps place them immediately on the throne. These sentiments it would have been imprudent to commit to writing; and, therefore, in their letters they confined themselves to general expressions of dubious import, the true meaning of which the bearer was authorized to explain.[1]

The report which Dyckvelt made of his mission opened a more inviting prospect to the ambition of the prince, and revived all those aspiring hopes which had first been awakened by the Bill of Exclusion. It is not indeed to be supposed that he now formed the very plan of invasion which subsequently placed him on the English throne—that particular measure was brought about by events over which he had no con-

[1] See them in Dalrymple, 190—200. Lord Devonshire's opposition to the court arose from the following circumstance. In 1686 Colonel Culpepper struck him in the king's antechamber, and was condemned to lose his hand for the offence, but obtained a pardon after a long imprisonment. The next year the earl struck Culpepper with a cane near the queen's drawing-room, and, though he claimed the privilege of the peerage, was condemned by the Court of King's Bench in a fine of thirty thousand pounds, and to be imprisoned till the fine was paid. For a while he set that court at defiance; but when the attorney-general took out process against him that the fine might be estreated into the exchequer, he sought to make his peace through the duchess of Mazarin, was admitted into favour, and given to understand that the fine would not be demanded, if he behaved properly. Thus the matter stood till the revolution, when the lords (May 15, 1689) declared the proceedings in the King's Bench a breach of privilege, the fine exorbitant, and that no peer could be committed for non-payment of a fine.—See State Trials, xi. 1354—1372. Barillon, 30 Oct.; 6, 10 Nov. Bonrepaus, 7 Nov L. Journ. xiv. 211.

trol—but he resolved to be prepared for whatever might happen, and take advantage of the first favourable opportunity which might be offered by the imprudence or the death of the king. Hitherto, in his correspondence with his uncle, his language had been reserved but respectful, more expressive of doubt than of determination: now he adopted a more resolute tone, and in his answers to two long and argumentative communications from James, replied, that though he would rather forfeit his life than become a persecutor, June 7. yet, in no circumstances whatsoever, not even for the June 24. succession to the English crown, or to all the crowns in Europe, would he or the princess consent to the repeal of laws which they thought necessary for the support of the Protestant worship.[1] It was this which induced the king, contrary to the remonstrances of several in the council, to dissolve the parliament, that he might defeat the intrigue between William and the leaders of the opposition:[2] whilst the prince on the other hand, to encourage and stimulate the zeal of his friends in England, assured them that if James should attempt with the aid of "a packed par-"liament" to repeal the Test Act and the penal laws, he would join them with an armed force, and draw his sword with them in defence of their common religion. For this purpose he despatched Zuyleistein, another August 8. envoy, under the pretext of offering his condolence to the king and queen on the death of the duchess of Modena. Zuyleistein pursued the same conduct as Dyckvelt, and having consulted the chiefs of the mal-

[1] D'Avaux, 19 Juin; 6 Juil. Id. Negotiations, vi. 33. Barillon, 17 Juil. Bonrepaus, 21 Juin. Dalrymple, 184.

[2] Le considerationi principali erano che dal scioglierlo (il parlamento), si venivano ad eludere tutti gl' intrighi del principe d'Oranges.—D'Adda, 8 Aug.

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contents, returned with letters and assurances of support to the Hague.[1]

7. This was followed by the publication of a letter on the same subject, written by Fagel, the pensionary, to Stewart, a Scottish lawyer, who of an enemy and outlaw had been made a convert to the royal cause by the address of Sir William Penn. Stewart, presuming on his former influence with the prince, had obtained permission of the king to commence a correspondence on the subject of the penal laws; and Fagel gladly embraced the opportunity to reply, that their highnesses were enemies to religious persecution, and willing to concede to the British Catholics that liberty of worship which was enjoyed by the Catholics of Holland, but that they never would consent to the repeal of the test, or of any act having for its object the safety of the Protestant church; that laws which merely fixed the qualifications for office could not be taxed with injustice, nor could that man be said to persecute, who did not seek to punish the religious belief of one party, but only to preserve the religious establishments of the other.[2]

In this letter there was nothing which had not been repeatedly stated by Dyckvelt to the king, and by the prince to Albeville. But it was in reality composed for the information of others; the Catholic princes, the allies of William, who would learn from it that he bore no real hostility to the professors of the Catholic faith, and the British Protestants, whom it would induce to look on him as the stanch and uncompromising champion of the Protestant ascendancy in the

[1] Dalrymple, 200—210. Zuyleistein was afterwards created earl of Rochford.

[2] Dumont, vii. part ii. p. 151. State Tracts, 334.

British empire. With this view it was published in Dutch, French, English, and Latin, and forty-five thousand copies were sent for circulation to England, where, from the high place which Fagel held in the confidence of the prince, it was considered as a public paper, with a semi-official character. The friends of James, however, did not suffer it to pass without an answer. Treating it as the composition of William himself, they animadverted severely on the indecency of the publication. What right, they asked, could a foreign prince possess of announcing to the inhabitants of a great empire his condemnation of the rule of their sovereign? The Test Act, they maintained, was unjust, because it deprived the Catholic peers of their birthright, though guiltless of any crime; because it was founded on the acknowledged falsehoods and forgeries of Titus Oates; and because its real object had been the exclusion of James, while its real victims were those who had been made subject to its provisions, that through *them* it might reach *him*. It was moreover a grievance to Protestants themselves, by imposing on men, unused to such investigations, the necessity of pronouncing solemnly on the truth or falsehood of a metaphysical opinion, and of declaring the invocation of saints to be idolatrous, though the form of that invocation was itself equivalent to a disclaimer of idolatry; and that to vindicate the test on the ground of its being merely a qualification for office was a pretence, the falsehood and injustice of which Fagel himself would admit, were he by the enactment of a similar qualification excluded from his share in the government of the United Provinces.[1]

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[1] James, ii. 145—151; and Stewart's answer to Fagel. The

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Whatever force there might be in this reasoning, the publication of Fagel's letter completely answered the purpose of its author. By the tone of moderation which distinguished it, the pope, the emperor, and the Catholic princes were led to believe that William was prepared to grant to the British Catholics every indulgence which they were entitled to expect; and by pointing out to the British Protestants the prince and princess as defenders of the Test Act, it constituted them in fact the leaders of the party. On the one hand it allayed the jealousy of his allies; on the other it encouraged the timid among his friends, confirmed the wavering, and stimulated all to resistance and exertion.[1]

But what great aid, it will be asked, could William bring to the disaffected in England? *He* was not the sovereign of the United Provinces; he held not at his disposal their naval and military force. He was no more than the servant of the States-general, bound to obey their orders, and answerable to them for his conduct. To employ their armies in a foreign war without their permission, was to violate the constitution; and to reveal to them his real object would have been to defeat his purpose by making it public. This was a great and alarming difficulty, and the consummate art with which it was surmounted, proves the political sagacity both of the prince and of his advisers. 1. In common with his friends, he felt or affected to feel

Catholic peers at this period were the duke of Berwick, the marquis of Powis, the earls of Salisbury, Peterborough, Portland, and Cardigan, the viscount Montague, and the lords Abergavenny, Audley, Stourton, Hunsdon, Petre, Gerard of Bromley, Arundel of Wardour, Teynham, Carrington, Widdrington, Belasyse, Langdale, Clifford, Jermyn of Dover, and Waldegrave. The next year Sir Francis Radclyffe was created earl of Derwentwater.

[1] Burnet, iii. 203, 206. Also, 165, note.

the deepest apprehension for the very existence of the reformed worship. Louis and James, according to them, were linked together in the closest amity, and had formed an impious league for the extirpation of Protestantism. The first had already acted his part by his revocation of the edict of Nantes: the second was following his steps as rapidly as circumstances would permit; and from England and France they would extend their views to the United Provinces, whose religion and independence were evidently at stake. Nor was this opinion confined to political circles. It was echoed and enforced from the pulpits, and daily received confirmation from an equally influential instrument—the public press. From the press there issued in profusion tracts of the most libellous description against the two monarchs, tracts containing not libels only, but occasionally unknown documents of the same apocryphal character with the celebrated "Remonstrance from the council" of the last year. It seemed as if the archives of the Jesuits had been rifled, and the spoil had been placed at the disposal of their enemies in Holland. One day a pretended correspondence between Father Petre in England and Père de la Chaise, the confessor of Louis in France, laid open to the eyes of the credulous and the timid the extraordinary plans supposed to have been devised in the two cabinets for the utter extirpation of heresy throughout Christendom. On another day the delusion of the people was confirmed and prolonged by the publication of a letter said to have been written from London by a Jesuit of Liege, to one of his brethren at Friburg. It did not contain any new or startling information: but the apparent artlessness of the composition repelled the suspicion of fraud, and

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the boastful and triumphant tone in which it detailed the labours of the society in England, their unexampled success, and future prospects, excited everywhere angry and indignant feelings. At the same time the graver of the artist was put into requisition and prints were industriously circulated, representing in horrible detail the barbarities said to have been exercised on the Calvinists in France through the bigotry of the French king. Some time later, the ministers, to make the deeper impression on the public mind, waited in a body on the prince, thanked him for his services in the cause of Protestantism, and were informed by him in reply, that there never was a time which called more loudly for their prayers and exertions, because there never was a time when the true profession of the gospel was assailed by more powerful and determined enemies. By these arts the passions of the people were wrought up to such a degree of phrenzy, that moderate men felt themselves condemned to silence, through the fear of being torn in pieces by the zeal of an enraged populace; and the Orange party in the assembly of the States was by gradual accessions converted into the majority.[1]

2. While the prince thus increased the number of his adherents, he secretly excited or fomented a succession of petty quarrels between the States and his father-in-law. 1. The English East India Company had made bitter complaints of the injuries which they suffered from the Dutch at Bantam and Masulipatam; and James in firm and threatening language insisted on immediate reparation. By William the States

[1] D'Avaux, 26 Feb.; 11 Mars; 10 Juin; 20 Juil.; 10 Août. Echard, 1820. Also Burnet, iii. 169, 170, note; and D'Avaux, 4 Juillet.

were exhorted to temporize; they protested against the exorbitant claims of the company; they excused the delay through the want of evidence from their own servants; and, if they offered reparation, it was in terms evasive or unsatisfactory. 2. Soon afterwards a fleet of Algerine corsairs, commanded by Dutch renegadoes, appeared in the Channel for the purpose of making depredations on the commerce of the United Provinces. The admiral anchored in the harbour of Plymouth, and demanded, in virtue of the treaty between the king and the regency, permission to sell his prizes. His right to enter the port was admitted; but the permission which he sought was refused: and yet the States remonstrated in violent terms against this determination: the charge that James was secretly leagued with the infidels against the heretics was echoed back by the partisans of the prince in England and Holland; and the king, to silence their clamour, issued orders to Admiral Strickland to sweep the Channel of the pirates. 3. A third cause of dissension arose out of the countenance which Burnet, to whom James had traced several libellous publications, received in Holland. Having been cited to appear, he was pronounced fugitive by the Court of Justiciary in Scotland, but at the same time obtained letters of naturalization, and a promise of protection from the States. Albeville required that he should be delivered up in conformity with the treaty of Breda, but received for answer that their high mightinesses understood the provision in that treaty in a very different sense from the king of England.[1] Lastly,

1686. June 22.

[1] For the Algerines see Bonrepaus, 9, 16, 21 Juin. Ellis, Correspondence, i. 127, 137; with respect to Burnet, D'Avaux, 17 Juil.; 7 Août; 29 Janv.; 10, 24 Fev. State Trials, xi. 1103—1124. Burnet, iii. 194.

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James demanded the six British regiments serving in the United Provinces: the States refused. He appealed to the law of nations; they replied that the civilians in Holland did not admit of the interpretation of that law given by the civilians in England: he claimed the services of the brigade in conformity with the capitulation between the prince of Orange and the earl of Ossory; they (though the British force in their pay had hitherto been governed by that very instrument) declared it of no value, because it had never been formally ratified. In conclusion, the king by proclamation recalled his subjects serving under foreign powers; but the call was obeyed by only thirty-six officers, and a small portion of privates,[1] who served to form the nucleus of three new regiments, composed chiefly of Catholics. The effect of these bickerings proved highly beneficial to William, inasmuch as they created an alienation of mind in the principal persons among the States, which rendered them willing to connive at measures calculated to injure a prince whom they both feared and disliked.

March 15.

3. But the chief object of his solicitude was to

[1] Burnet, iii. 208. D'Avaux, 12, 24 Fev.; 16, 18, 25 Mars. Barillon, 12 Fev.; 25 Mars. The recall of these troops originated with the French cabinet, for the purpose of weakening the army, and embarrassing the counsels of the States. D'Avaux suggested it to Albeville, and Albeville to James, on the ground that he could have no reliance on the fidelity of the six regiments as long as they remained under the command of the prince. He assented, and proposed that Louis should take them into his service; but Louis deemed it better to furnish pay for two thousand men, provided they should remain in England. But by this time Sunderland had discovered the origin of the project, and instantly threw every obstacle in the way of the negotiation, till his services were purchased by a new gratification of two thousand two hundred and fifty pounds. Immediately afterwards Albeville received orders to recall the troops. —See D'Avaux, 22 Août, 1687; Barillon, 9 Janv. 1688; and the answer of Louis, 16 Janv. The pay of two thousand men amounted to forty-two thousand and forty-eight pounds a year.

procure supplies of men, ships, and money, without disclosing at the same time his real purpose. His partisans began, as we have seen, by disseminating a report that Louis and James had entered into a secret league to make war on the United Provinces in the following spring; but this falsehood[1] might have failed of its purpose, had it not been aided by the depredations of the Algerine corsairs, and the expectation of another visit from the pirates during the next summer. For the protection of their commerce the States voted at last a levy of nine thousand seamen; and the prince not only put twenty sail of men-of-war into commission, but ventured without authority to order twenty more to be put in such repair that they might be ready for sea in a few days. He had also the address to procure from the States an order that the ships should not, as was usual, be stationed in the harbours of the different admiralties, but should rendezvous either at Flushing or Willemstad, two ports his own property, where he could exercise the command without control. With respect to the army, he did not venture to raise any additional force; but he concluded private treaties with different princes of Germany, who bound themselves to furnish at his requisition several thousand

[1] D'Avaux, speaking of the false reports at the Hague, uses these words:—"Le prince et ses créatures ont au suprême dégré le talent "des Autrichiens de débiter effrontément une menterie, qu'ils savent "bien devoir être détruite trois jours après." 6 Fev. 1687. That there existed no league between the two monarchs either against the States, or for the support of James in England, is plain from all the despatches of the French ministers, and in particular from a letter of Louis XIV. to D'Avaux in answer to a hint on the subject: "Comme ce prince ne doute pas de mon affection, et du désir que "j'ai de voir la religion Catholique bien rétablie en Angleterre, il "faut croire qu'il se trouve assez de force et d'autorité pour exécuter "ses desseins, puis qu'il n'a pas recours à moi." 17 Juillet, 1687.

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men for the defence of the southern frontier, whenever the Dutch troops should be withdrawn by the prince for any distant expedition. To procure money towards the equipment of the fleet, the produce of the customs was almost doubled by the enforcement of new and severe regulations; and on his earnest remonstrances that several fortresses were falling into ruin, a loan of four millions of florins was voted for their repair. The loan was, indeed, ordered to be raised by equal portions, in four successive years, but the treasurer, under the influence and protection of the prince, obtained the whole sum at once, and held it at the disposal of his patron.[1]

In the meanwhile James pursued with obstinacy his dangerous and desperate career. The inutility of his past efforts might have taught him the folly of expecting to win the consent of men, while he continued to offend their prejudices, and to trample on their rights. But his was a mind on which the lessons of experience were thrown away. Though the closetings, and removals, and interrogatories had failed, still he could discover no cause of despondency; the reasonableness of the thing, the interest of the dissenters, and the influence of the crown would, he thought, gradually make converts to his opinion, and it was his fixed resolve to call no parliament till he should be secure of a majority in both houses. The consent of the prince of Orange, which he had once considered necessary, was now to him a matter of less importance. The queen was pregnant; and her child, if, as he promised himself, it should prove a boy, would be entitled to the succession in the place of his daughter the princess Mary. He beheld with satisfaction the sud-

[1] Negotiations du comte D'Avaux, vi. 9, 13, 28, 44, 59, 64, 66.

den damp which this intelligence cast on his opponents: but the report was soon met by a rumour most industriously circulated, that the queen's pregnancy was a mere pretence, the first act of a farce, which would end in the production of a supposititious child, a false prince of Wales, to the exclusion of the true Protestant heirs.[1] In ordinary circumstances so improbable a tale could not have found credit; but it was eagerly received by the prejudice of party; and, to give to it a greater air of probability, the story of Queen Mary's "mock conception," by Fox, the martyrologist, was reprinted and distributed among the people, under the title of "Idem iterum, or Queen Mary's big belly." James, however, treated this attempt with scorn, and, by proclamation, announced the propitious event to his loving subjects, ordering at the same time a day of thanksgiving to be observed, with a form of service prepared by the three bishops of Durham, Rochester, and Peterborough.[2]

Dec. 23.

[1] Of the reality of the queen's pregnancy, and of the birth of the prince, no man can reasonably doubt, who has perused the extracts from her letters to the princess of Orange (Ellis, 1st series, iii. 348), the depositions made before the council (Several Declarations, &c., 23, 40, 41, 47), and the passages selected by Mazure from the despatches of Barillon and Bonrepaus (Mazure, ii. 366, 369, 459). From these it appears that the queen was herself uncertain as to her time, reckoning occasionally from the king's arrival at Bath on the 6th of September, and occasionally from their return to Windsor, on the 6th of October, a point of some consequence in the controversy, as it completely sets aside the most plausible of the objections; though it is plain that, if fraud had been intended, nothing was more easy than to have fixed on a certain time, and to have abided by it. See also the letters in Dalrymple (iii. App. 300, 303, 305), which do little credit to the filial piety of the princesses Mary and Anne.

[2] We are told that, "in the proclamation for the thanksgiving, it "was intimated that the child was to prove a son, and still more "plainly in the Catholic form of prayer on that occasion." I can nowhere discover this indication. The words in the proclamation are these:—"His majesty has apparent hope and good assurance of "having issue by his royal consort the queen:"—in the Catholic

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From this moment his adversaries watched his conduct with more than their former jealousy, while the infatuated monarch continued to act as if it were his wish to conjure up and combine together all the elements of that storm which, in a few months, burst on his head, and swept him and his from the throne.

1. The elector of Cologne had appointed for his resident at the English court a native Benedictine monk, of the name of Corker, who had been tried for his life during the imposture of the popish plot. There was something sufficiently extraordinary in the appointment itself: but James was not satisfied: he insisted that the resident should be introduced at court in the habit of his order, accompanied by six other monks, his attendants, in a similar dress. It was a ludicrous rather than an offensive exhibition: but, while it provoked the sneers and derision of the courtiers, it furnished his enemies with a new subject of declamation against the king, who, not content with screening these men from legal punishment, brought them forward as a public spectacle, to display his contempt of the law, and defiance of public opinion.[1]

Feb. 1.

2. These exhibitions were quickly followed by others in the same direction. To provide for the future government of the Catholic church in England,

prayer, "Concede propitius ut famula tua, regina nostra Maria, "partu felici prolem edat tibi fideliter serviturum," a form in use for centuries on such occasions.

[1] Barillon, 16 Fev. "L'admission d'un Bénédictin à l'audience "du roi d'A. en qualité d'envoyé d'un prince souverain, est plus "capable d'éloigner les Protestants de notre religion que de les y "attirer; et comme on ne voit point de semblables exemples dans "les pays entièrement Catholiques, il semble aussi qu'on pouvoit se "dispenser de donner ce sujet de reillerie aux hérétiques."—Louis à Barillon du 26 Fev.

It had been proposed that the kingdom should be divided into four dioceses or districts, and that each of these should be placed under the care of a bishop, in the capacity of vicar apostolic. In the beginning of 1688 this plan received the sanction of the pontiff, and James hastened on his part to carry it into execution. The only Catholic prelates hitherto appointed were Layburne and Giffard: two others were now nominated by the king, Father Ellis, a monk of the Benedictine order, and Dr. Smith, the president of the English college at Douai. The consecration of these prelates was conducted with great splendour, and in the presence of a numerous concourse of spectators; that of Ellis in the chapel royal at St. James's, and that of Smith in the chapel at Somerset House, the residence of the queen dowager. Before the vicars set out to take possession of their respective districts, James made to each the present of five hundred pounds for his outfit, and settled on him a pension of one thousand pounds for his income. The completion of this work, though it strengthened the party of his adversaries, was to the king a source of self-gratulation. He had restored the episcopal order among the Catholics, and had laid the foundation of a hierarchy which would in a few years—so he flattered himself—become a national establishment. Within three months the arrival and success of his nephew dispelled the illusion. Yet the new arrangement effected by him proved to the English Catholics a most valuable benefit. For if, when he had been driven into exile, and the prince of Orange had ascended the throne, they still continued true to the doctrines of their church, and to the private exercises of its worship, this was mainly owing to the good

Jan. 30.

May 6.

May 23.

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sense, the authority, and the solicitude of the prelates, who constituted the new hierarchy.[1]

3. But the king was not content with provoking discontent by the marked attention which he paid to the interests of his own religion; he seemed anxious to create alarm by renewing at the same time his attacks on the rights of the established church. In the beginning of the year, Parker, bishop of Oxford, died, and James, by a mandatory letter, ordered the presidentship of Magdalen college to be given to Dr. Giffard, one of the four vicars apostolic. The March 31. great majority of the fellows and demies, as the reader is aware, were already Catholics; by this nomination the president was now a Catholic; so that the college in fact was taken from the Protestants and made a Catholic establishment, and that too by a prince who had solemnly promised to maintain the rights and privileges of the church. In his defence it was argued, that, by the obstinate secession of the former inmates, the house had fallen to the crown, and that in such case the sovereign might reasonably fill it with one class of religionists, when it had been aban-

[1] In "the account of the family of Ellis," prefixed to the "Ellis "Correspondence," is a most ridiculous biographical memoir of Bishop Ellis, adopted on the authority of an article in the Gentleman's Magazine, vol. xxx. p. 328, stating that he had absconded, when a boy, from Westminster school, and was not heard of for years, till he was found among the Jesuits at St. Omer's, being a "most face-"tious father," and on that account named Jolly Phil, whence he was persuaded by his brother to come to England, &c. Now it is plain that the author of this memoir knew nothing of the real Bishop Ellis, who was not a Jesuit, but a Benedictine monk from Douai. The letters in the Ellis Correspondence always call him the monk, and in the title-page of his sermons, published by command of the king, he is styled the rev. father Dom. Phil. Ellis, monk of the holy order of St. Benedict, and of the English congregation, preacher and chaplain in ordinary to their majesties. The whole of this worthless memoir abounds with the grossest errors, and is altogether unworthy of a moment's attention

doned by the other. But such sophistry could make little impression on the mind of any man who considered the origin of the quarrel, and the law of the land. A prudent prince would have grasped at the opportunity of effecting a reconciliation with the university; James, by a new act of injustice, chose to augment and perpetuate the cause of irritation. If we may credit the information sent by the nuncio to the papal court, the suggestion came originally from Sunderland.[1] CHAP. III. A.D. 1688.

But that which filled up the measure of his offences was the prosecution and trial of the seven bishops. A year had elapsed since his proclamation of liberty of conscience. He now ordered it to be republished, and appended to it an additional declaration, stating his unalterable resolution of securing to the subjects of the English crown "freedom of conscience for "ever," and of rendering thenceforth merit and not oaths the qualification for office. A rival people (the Dutch) might censure and complain—they would be the losers by the improvement—but liberty of conscience would add to the wealth and prosperity of the nation, and give to it what nature designed it to possess, the commerce of Europe. He would have his subjects to look back on the three years which they had already passed under his sway, and to judge, from the ease and happiness which they had enjoyed, whether, instead of being the tyrant represented by his enemies, he had not been in reality the father of his people. Wherefore he conjured them to lay aside all jealousies and animosities, and prepare to elect for the next parliament, which would meet at the latest in November, such representatives as might aid to April 25

[1] James, ii. 125. Dodd, iii. 469. Burnet, ii. 219.

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complete the great work which he had so happily begun.[1]

May 4.

The king had persuaded himself that considerable benefit would be derived from this declaration; and, that it might be the more generally known and obeyed, an order was sent to the several bishops from the council, enjoining that it should be read by the clergy in their respective churches, at the usual time of divine service, in London on the 20th, and in the country on the 27th of May—an order the impolicy of which is so very obvious, as to provoke a suspicion that it proceeded from the advice of a concealed enemy. It was not, indeed, without precedent. In 1681, at the suggestion of Archbishop Sancroft, the declaration of Charles II. against the Whigs, and subsequently, in 1683, his declaration respecting the Rye-house plot, were read by order of the king during the service.[2] But at those times the court was in favour with the church, and no man thought of disobeying an order which he approved. But now, when the minds of the clergy were estranged by jealousy, and embittered with resentment, to insist that they should read to their flocks a declaration which they judged hostile to their interest, was to provoke a quarrel which, in the feverish state of the public mind, could not fail of proving most injurious to the royal cause.

May 12.

After a few days, the archbishop gave a dinner to the leading clergymen in the capital: and when those who had not been admitted into the secret were departed, Compton of London, Turner of Ely, White of Peterborough, and Dr. Tennison, remained in consultation with the metropolitan. By them it was re-

[1] Wilkins, Con. iv. 616.
[2] Burnet, iii. 212. Baker, Continuation, 709.

olved, that the clergy could not read the declaration either in prudence or in conscience: not in *prudence*, for three reasons, because it was contrary to the interest of the church, because it would be taken as a proof of their approbation or their cowardice, and because it would lead to the reading hereafter of other and perhaps still more offensive papers; nor could they read it in *conscience*, because it contained illegal matter, as it pre-supposed not merely a dispensing, but even a disannulling, power in the crown. But it might be asked, Were the clergy the proper judges of that question? Or could they conscientiously refuse to obey an order issued by the head of their church? The objection was answered by a train of reasoning which would have done honour to the most subtle casuist: that each individual must judge for himself, and not according to that judgment; that hence, if he judge a declaration illegal, there can be no disobedience in refusing to read it; for unlawful matter ought not to be published by him who thinks it unlawful, because it cannot come to him from any lawful authority; not from the king, for the king can do nothing unlawful; nor from his ministers, for they must have their authority from him. The refusal then is lawful, and consequently free from the guilt of disobedience.[1]

May 18. In consequence of this resolution, seven other bishops were invited to join the four in London; and of these Lloyd of St. Asaph, Kenn of Bath and Wells, Lake of Chichester, and Trelawney of Bristol, obeyed the summons. Before them was laid a petition to the king, in the handwriting of the archbishop, praying in respectful language that the clergy might

[1] Kennet, 482. James, ii. 152. Clarendon's Diary, 171.

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be excused from reading the declaration, not because they were wanting in duty to the sovereign, or in tenderness to the dissenters, but because it was founded on the dispensing power which had often been declared illegal in parliament; and on that account they could not, in prudence, honour, or conscience, make themselves such parties to it as the reading of it in the church would amount to in common and reasonable construction. To this instrument they set their names, with the exception of the bishop of London, who was still suspended from his jurisdiction; and the subscribers, leaving at Lambeth the archbishop, who had been some time before forbidden access to the court, presented it on the same evening to the king in his closet.[1]

That the matter of the petition would prove offensive, there could be no doubt; but James had an additional and more reasonable cause of complaint. They had suffered fourteen days since the issuing of the order to pass in silence; and now, when there wanted but thirty-six hours of the time for carrying it into execution, they for the first time came forward with their objections. The delay might not have been intentional; it might have arisen from indecision, or apprehension, or the difficulty of ascertaining in haste the sense of the episcopal body; but to the king it seemed as if they sought to take him by surprise, to extort from him an answer, without allowing him leisure for deliberation. He replied with warmth and asperity, that he had not expected such treatment from the church of England; that they were sounding the trumpet of Sheba, and raising a devil which they

[1] Clarendon's Diary, 171. Kennet, 483. State Trials, xii. 453. State Tracts, 430.

would never be able to lay; that they made themselves the tools—the unconscious tools, he had the charity to believe—of men, who aimed at the ruin of the church as well as of the throne; that the dispensing power was part of the doctrine of the church; that some among the subscribers had both preached and written in defence of that doctrine; that it was a power which, as God had given it to him, he would be careful to maintain; and that, whatever they might think, there still remained seven thousand men, and of the church of England too, who had not yet bowed the knee to Baal. On their part they conjured him not to think so harshly of them: they would lose the last drop of their blood rather than lift up a finger against him: but if they were bound to honour *him*, it was also their duty to fear God: to read the declaration was against their conscience, and they hoped that he would allow to them, what he professed to grant to all, liberty of conscience. In conclusion, he did not return a positive refusal. He would take time to consider. If he should change his mind, they would hear from him in the course of the following day; if they did not, they might know that the order must be obeyed.[1]

James might, perhaps, have relented; but, to add to his vexation, he learned the same night that the petition, though it had never yet been out of his possession, was actually printed, and openly distributed in the streets of the metropolis. This treatment, acting on a mind naturally obstinate, confirmed him in his first resolution. He no longer doubted that it was a preconcerted plan; that the motions of the

[1] James, ii. 154, 155. Clarendon's Diary, 172. App. 479. State Trials, xii. 454. Lonsdale, 26, 28. Gutch, i. 335, 338.

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prelates were secretly guided by the leaders of his opponents; and that the object of the publication was to embarrass him, and to excite the clergy to resistance. The next morning he took the advice of the twelve judges; the day passed in silence; no notice was forwarded to the prelates; and on the Sunday the declaration was read in a few, but a few only, of the churches in London.[1]

May 19.

May 20.

This conduct of the bishops perplexed the royal counsels. Many contended that by the premature publication of the petition, and their subsequent disobedience, they had compromised the authority of the sovereign; that, if he permitted them to beard him to his face with impunity, he might as well resign the sceptre at once; and that, to prevent similar acts of insubordination, he ought to send the offenders for punishment before the ecclesiastical commission. Others (and among them, it should be observed, were Sunderland and Petre[2]) represented the danger of arraying the whole church of England against the authority of the crown, and advised that the bishops should be admonished of their fault, and told that, if

[1] Higgins, 333. James (Memoirs), ii. 211. Clarendon's Diary, ibid. Evelyn, iii. 342. "On ne doute pas que ce qu'ont fait "quelques uns des Evêques ne soit concerté avec plusieurs autres, et "avec les chefs du parti opposé à la cour."—Barillon, 3 Juin. The declaration was read in four churches only. Both Tillotson and Stillingfleet had gone into the country, that they might not attend at church, though they had both assisted in the composition of the petition.—Clarendon, ibid.

[2] In the despatch which contains the account of these different opinions, Barillon expressly says of the advice to dismiss all intention of prosecuting the bishops, "cet avis est celui de my lord Sunder-"land et du P. Piters"—(Barillon, ibid.); and I notice the passage, because it refutes the report spread abroad at the time, that Petre in very offensive terms had urged the king to punish the prelates. Jeffreys said that James himself was disposed at first to overlook the affront, but allowed himself to be dissuaded by men who pushed him on to his ruin. -- Clarendon's Journal, June 15.

they escaped with impunity, it was owing to that very declaration which they refused to read, to that universal liberty of conscience which they so loudly condemned. James fluctuated between these opposite opinions; but the first, though he admitted it to be the less prudent, accorded better with his unyielding disposition; fresh provocation was daily administered by the successive accession of other bishops to the obnoxious instrument;[1] and he at last resolved to call the original offenders to account, not indeed before the ecclesiastical commission—that would bear the appearance of persecution—but before a criminal court, and for a civil misdemeanour, which would enable him to vindicate the royal authority, and still leave it in his power to display his forbearance and clemency as circumstances might suggest.[2]

Of all the counsels which marked the arbitrary yet impotent policy of the king, this proved by far the most mischievous, because it threw the very assertors of passive obedience into the arms of his enemies, who were not slow to avail themselves of the advantage. To the seven prelates they made the offer of their sympathy and advice; and carefully kept alive the irritation of the public mind by a succession of pamphlets and reports. When the bishops presented themselves before the council, they met with a gracious reception from the monarch; and having, after some unnecessary demur, acknowledged their respective signatures to the petition, were told by the chancellor that they would have to answer for the

June 8.

[1] The bishop of Gloucester signed it on May 21, of London on May 23, the bishop of Norwich on the same day, of Salisbury on the 26th, of Landaff on the 27th, of Winchester on the 28th, of Exeter on the 29th, and of Worcester on the 3rd of June.

[2] Despatches of D'Adda, Giugno 4, 11.

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offence in Westminster Hall, but that, in the meantime, to spare them the disgrace of imprisonment, the king would accept their personal recognizances for their appearance. Thus it had been arranged on the preceding evening between the archbishop and Lord Berkeley: but now, by "the advice of all their wise "friends"—advice given that morning, not so much with a view to the benefit of the prelates, as to drive the king to extremities—they replied that, being peers of the realm, they would give no other security than their word.[1] The council was surprised and disconcerted. The bishops, having been desired to withdraw and consult among themselves, were recalled; the former offer was repeated, and represented as a favour which the king wished them to accept: but they returned a second refusal; and then, as no alternative remained, were committed to the Tower under the charge of having contrived, written, and published a seditious libel.[2] The warrant, the legality of which in such circumstances could not be disputed, was signed by the whole board, with the exception of Petre, who on his petition was excused by the king, and of Lord Berkeley, who, though he had concurred in opinion with his colleagues, was at the moment, accidentally or designedly, absent.[3]

[1] State Trials, xii. 457, 461.

[2] James, ii. 158. Gutch, i. 353, 354. State Trials, 198, 455—462. Clar. Corresp. ii. 175, 177. App. 481—484. Though the prosecution was determined upon in opposition to the advice of Sunderland, Barillon observes of him, that "comme habile ministre "et bon courtisan il soutient avec beaucoup de chaleur et de fer- "mité les resolutions qui ont été prises."—1 Juillet. The compiler of the Memoirs of James attributes, but without referring to any authority, the resolution to Jeffreys. Jeffreys himself, without a positive denial, seeks to insinuate the contrary in his conversations with Clarendon a few days afterwards.—Diary, June 27.

[3] Barillon, 21 Juin. He attributes the absence of Berkeley to fear.

To check the expression of popular feeling, and to prevent any attempt to rescue the right reverend prisoners, it had been thought prudent to convey them by water to the Tower. As they proceeded down the river, the people cheered them from the banks; on their landing, the officers and privates of the garrison bent their knees, and solicited the blessing of those whom they were commissioned to keep in confinement. It was the hour of the evening service. The prelates hastened to the chapel; the second lesson was read: "I have heard thee in a "time accepted, and in the day of salvation I have "succoured thee; behold, now is the accepted time; "behold, now is the day of salvation:" nor can we be surprised if men in such a state of excitement applied these words to themselves, and took them for a prediction of the deliverance of the church from the ruin with which they thought it was menaced.[1] By the lieutenant they were treated with respect, and allowed the liberty of the Tower.

June 1

But two days later, while the public attention was absorbed by the proceedings against the bishops, the queen was unexpectedly taken in labour. Messengers were instantly despatched; the royal physicians, the ladies of the court, and the members of the council hastily assembled in her apartment; and in the course of an hour the king was blessed with what he so ardently wished for, the birth of a son, the apparent heir to his crown. He did not dissemble, his friends

[1] Those who published the order for reading the declaration were the bishops of Durham, Lincoln, Hereford, Rochester, Chester, and Carlisle. Of these six two only, Hereford and Chester, refused the oaths to King William, while of the seven who were prosecuted, the archbishop, and the bishops of Ely, of Bath and Wells, of Chichester, and of Peterborough, were deprived on that account.

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did not dissemble, their common joy; their chief apprehension was removed; the princess of Orange was no longer the next in the succession. The disappointment and vexation of his opponents were equally marked. But they quickly rallied; they had prepared the people to expect a supposititious birth, and they maintained that their predictions had been verified. A number of reports and fables were immediately circulated. It was said that the queen had never exhibited those appearances which accompany a state of pregnancy; and had taken care that the pretended delivery should happen in the absence of the princess of Denmark, and of those who were the most interested in the event. According to one tale, she had suffered a miscarriage in the third, according to another, in the sixth, month; some persons described minutely how the child had been introduced beneath the bedclothes in a warming-pan, and thence exhibited to the spectators by the midwife as the royal infant, while others cared not whether there had been a real birth or not; certain they were that the child died in a few hours, and that another was substituted in its place. The inconsistency of these accounts furnishes a sufficient proof of their falsehood; but they were so often and so positively asserted that they made impression: well-meaning individuals began to think the birth of the prince problematical, while thousands, consulting their prejudices rather than their judgment, held it for an undoubted imposture.

[1] See these absurd reports collected with care by Burnet, iii. 236—245. Isabella, Lady Wentworth, who was in attendance, had nevertheless declared to him, "that she was as sure the prince "of Wales was the queen's son, as that any of her own children "were hers; when out of zeal for the truth and honour of my "mistress," said she, "I spake in such terms as modesty would "scarce let me speak at another time."—Ibid. 368.

By James this imputation, so injurious to his honour and veracity, was keenly felt; but he scorned to notice it publicly, and contented himself with ordering a day of general thanksgiving, making on the occasion presents to his ministers, entertaining the populace with fireworks, and giving a considerable sum in charity to the poor.[1] CHAP. III. A.D. 1688.

Could the king have foreseen the consequences of his contest with the bishops, he had now, by publishing a general pardon on the birth of his son, a fair opportunity of extricating himself without disgrace from that pitiful yet dangerous quarrel. But his high and obstinate temper never knew when to yield, and he risked the very existence of his authority, that he might not be thought to have exercised it in vain. On the appointed day the seven prelates were brought from the Tower, accompanied by several peers and gentlemen: on their approach to Westminster Hall the crowd divided; and as they passed through the lane of spectators, the bystanders begged their blessing, and kissed their hands and garments. After much time had been spent in arguing the objections taken by their counsel, they pleaded not guilty, and were discharged on their own recognizances, the archbishop in two hundred pounds, the bishops in one hundred pounds each, to appear again for trial on that day fortnight. As they left the court, they were greeted with loud acclamations; the enthusiasm of June 15.

[1] Barillon, 1 Juil. Gazette, 2345. Dalrymple, 308, 311. The queen's former children had all died of convulsions. The physicians advised that this should be fed with the spoon. The nuncio writes that in place of milk they gave to the principino un alimento chiamato "Watter Gruell," composto di farina di avena, aqua, e zuccaro, aggiungendovisi alle volte qualche poco di una passa di Corinte.—Giugno 22. In August the "watter gruell" was abandoned for a wet nurse.—Ellis Cor. ii. 108.

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the people showed itself by lighting bonfires in the evening and drinking to the seven champions of the church; and their liberation was celebrated as a triumph, though it had in reality been obtained through the very concession which, "by the advice of "their wise friends," they had refused to make in presence of the council.[1]

Neither James nor his advisers could view the public excitement without some feeling of alarm; but the king persuaded himself that he had now advanced too far to recede without disgrace. The royal authority was at stake: he must proceed to trial; and then, when the jury had returned their verdict—in his favour he could not doubt—he might withdraw the bishops from punishment and display the generosity of a conqueror to his vanquished foes.[2] Sunderland, though he had disapproved of the prosecution, lent to it the aid of his counsels and influence; and at the same time improved the opportunity to confirm his hold in the confidence of the king, by professing himself openly, what it had been long known that he was privately, a convert to the church of Rome. That a statesman so selfish and calculating should take this important step at such a crisis, excited surprise in every quarter: and the only conclusion drawn from it was, that he possessed information which convinced him that, whatever might be the designs and resources of the prince and his adherents, still the royal cause would ultimately triumph.[3]

June 27.

[1] State Trials, xii. 189—277. Burnet, iii. 221. Echard, 1103.

[2] So D'Adda writes on 9 Luglio, the very day of the trial.

[3] Barillon, 8 Juillet. Sunderland's eldest son, Lord Spenser, a young man of profligate habits, had been wounded long before in a riot, or a duel the consequence of a riot, at Bury. He never recovered his health, and was now lying in a very precarious state in

The expectation of the trial drew multitudes from the country to the metropolis. On the 29th of June thirty peers, the friends of the prelates, appeared on the bench with the judges;[1] Westminster Hall was crowded with spectators; and an immense concourse of people, agitated by the most impatient anxiety, awaited the result in the open air. Within the court, the officers were unable to maintain the usual forms of decorum. The feelings of the audience burst through every restraint; and repeated cheers of approbation encouraged the witnesses and the counsel for the prisoners. Powis the attorney, and Williams the solicitor-general, Shower the recorder, and serjeants Trinder and Baldock, appeared for the crown; and against them were arrayed, Pemberton, formerly chief justice, Levinz, Sawyer, Finch, Pollexfen, Treby, and Somers: a singular arrangement, which gave the defence of the popular cause to Sawyer and Finch, the conductors of all the state prosecutions towards the end of the last reign, and converted Williams, the Whig advocate and former enemy of the duke of York, into a zealous champion of the pretensions of James. This change of parties gave birth to much altercation. Taunts and sarcasms were thrown out and retorted; the counsel reproached each other with maintaining doctrines which they had formerly repro-

June 29.

Paris, where he had lately become a Catholic. On this Barillon remarks, "Cela est regardé comme une chose concertée entre myl. "Sunderland et lui. Ce qu'il y a de certain est qu'il profitera de la "conversion de son fils."—Bar. 21 Mai, 2 Juin. The young man died Sept. 5.

[1] From a letter to the prince of Orange (June 18) we learn, that it was the advice of those who sought to inflame the passions of the people, that "the bishops should deny the jurisdiction of the court, "which would anger extremely, and draw great punishment upon "them, and that then the lords should petition in their behalf."—Dalrymple, 227. This plan was afterwards abandoned.

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bated; and it required all the authority of Wright, the chief justice, to recall them from personal altercation to the cause before the court. The information charged the prisoners, that they had written and published a seditious libel in the county of Middlesex. The first part, *the writing*, the crown lawyers were compelled to abandon. For though it was shown (but only from the admission of the prelates before the council) that the signatures were in the handwriting of the respective defendants, there was not only no proof that they had signed their names in Middlesex, but Lambeth, where every one knew that the subscription took place, was situate in the county of Surrey. Neither were they at first more successful with respect to the *publication* in Middlesex. That a petition had been presented to the king in that county, was admitted; but that the very petition in question had been presented by the seven prelates could not be proved: and the chief justice had commenced his charge to the jury with the intention of directing an acquittal, when he was imprudently interrupted by Finch, who requested permission to make some additional observations. To the surprise of the court, when the indulgence which he craved had been granted, it was immediately waived: but his opponents had improved the opportunity to send in the interval for Lord Sunderland, who deposed that the defendants informed him of their purpose of presenting a petition, that he accordingly introduced them to the king, and that his majesty showed him the petition in question as that which they had put into his hands. This testimony, though subversive of the defence which had been set up, proved to the parties the occasion of a more important victory. Without it the bishops

would have been acquitted on the ground of technical informality; after it they obtained an acquittal on the very substance of the charge. Their advocates abandoned the subterfuges on which they had hitherto relied, entered into the real merits of the case, and contended that the bishops had only exercised their right of petitioning for the redress of grievances as British subjects, and their duty of supporting the Act of Uniformity as its legal guardians; that their petition was not seditious, because it was presented in private; nor false, because the matter of it was true; nor malicious, because it was drawn from them by necessity, and offered to the sovereign with the most innocent intention. But that which chiefly delighted and electrified the audience, was the eagerness with which they discussed the question of the dispensing power, and the eloquence with which they combated the arguments of its advocates.

The judges charged the jury separately. Wright, the chief justice, said that the question of the dispensing power was not before them: if they believed the petition in the information to be that which the bishops presented to the king, the publication was proved; and, if it were calculated to breed dissension between the king and the people, as in his judgment it was, it must be considered as a libel. He was followed by Halloway, who maintained that the offence consisted in the intention, and that, if the bishops only sought to free themselves from blame, by stating the reasons why they could not obey, the petition in his judgment could not be a libel. Powell succeeded, who confined himself to the dispensing power. The petition pronounced that power illegal; and would certainly be libellous if the

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assertion were false. But it was true. He had read of no case in law which showed that the king possessed such power; and this he knew, that the exercise of it would vest the whole legislative authority in the sovereign, and render parliament unnecessary. Lastly came Allybone, who said that, for a private individual to pronounce the proceedings of government illegal, whether it was done under the form of a supplication, or petition, or address, was a libel: the reformation of such things belonged not to private persons, but to the two houses of parliament. He would not discuss the prerogatives of the king or the privileges of the subject, but he thought that in the present case those venerable prelates had travelled out of their province, and, by declaring the conduct of government illegal, had assumed a right which no private individual could claim.[1]

The jury (for it cannot be objected to this misguided prince that he ever made an attempt to pervert the course of justice) had been fairly chosen. Differing in opinion among themselves, they left the court, and spent the night in loud and violent debate. In the morning they returned, and pronounced a verdict of not guilty. It was received with deafening shouts of applause; the enthusiasm communicated itself to the crowd without the hall; it was rapidly propagated to the extremities of the metropolis; thence it reached the neighbouring hamlets, and at

[1] Of the three puisne judges, Halloway and Powell were dismissed at the end of the term (July 6), on account of their charges in favour of the bishops. That this was the true reason of their discharge is evident from the testimony of Barillon, who announced it some time before. (Les deux juges, qui ont voté pour les Evêques seront destitués, mais on laissera achever le terme auparavant.—Barillon, 12 Juillet.)

length penetrated to the camp at Hounslow Heath, where it is said that the king himself, who chanced to be dining with the general, Lord Feversham, was surprised and alarmed at the loud acclamations of the soldiers.[1]

[1] For this important trial see State Trials, xii. 277—431, 475; Burnet, iii. 222—226; Macpherson, i. 266; Ellis Correspondence, ii. 7—12; Clar. Diary, 179, 180; Hist. of Eccles. Commis. 53—60. Barillon in his letter gives a long account of it to Louis. He says the jury were divided in the evening, seven against and five for the bishops. But "la vérité est que les juges et les jurés ont été "entrainés par le torrent du peuple, et que ce grand concours, qui "a paru en faveur des évêques, les a intimidés. La joie et les ac- "clamations ont été fort grandes à Westminster, quand on a su la "décision. Il y a eu des boites tirées sur la rivière. On fit des "feux de joie. La populace brula une représentation du pape."—12 Juillet.

CHAPTER IV.

LOUIS DECLARES WAR AGAINST THE EMPIRE—ALARM OF THE KING—HE SEEKS TO CONCILIATE THE STATES—AND HIS OWN SUBJECTS—DECLARATION OF THE PRINCE—HE SAILS AND IS DRIVEN BACK—PREPARATIONS OF THE KING—DISGRACE OF SUNDERLAND—THE PRINCE SAILS, AND LANDS NEAR EXETER—DESERTION OF LORD CORNBURY—KING GOES TO THE ARMY AND RETURNS—MORE DESERTIONS—THE QUEEN AND HER SON ESCAPE TO FRANCE—THE KING IS INTERCEPTED AT FEVERSHAM—RETURNS TO LONDON—IS ORDERED TO QUIT BY THE PRINCE—ESCAPES FROM ROCHESTER—LANDS IN FRANCE—A CONVENTION CALLED—DEBATES ON THE VACANCY OF THE THRONE—DECLARATION OF RIGHTS—WILLIAM AND MARY PROCLAIMED KING AND QUEEN.

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WHEN James had leisure for sober reflection, he did not fail to condemn the rashness which had hurried him into the ill-advised and unsuccessful contest with the bishops. But, if the prejudice which it would offer to his interests forced itself on his attention, he sought to console himself with the consideration of the benefits to be derived from the birth of his son, and the hope that the one would counterbalance the other. But in this he was also disappointed. That birth proved the immediate occasion of his downfall. Thousands had hitherto borne with his misrule, under the persuasion that their grievances would be redressed during the expected reign of his daughter and her husband: but now that there was an heir apparent, who would probably be educated in the faith and principles of his father, instead of ceasing to look forward to the prince of Orange, they fixed their eyes on

him with greater earnestness, considering him as the only man whose interference could preserve their liberties and religion. The enemies of James were careful to encourage and propagate this opinion.[1]

With regard to the prince himself, he had never lost sight of the great object of his ambition. During the months of April and May it was discovered by the French ambassador at the Hague that a swift-sailing boat repeatedly brought messengers from England, whose arrival was constantly followed by long and secret consultations. Of these messengers the most important was Admiral Russell, afterwards earl of Oxford, who sought to draw from William a promise of assistance against some fixed period; and though the result of his mission was kept secret at the moment, it was gradually unfolded by subsequent events. A pamphlet was published in Holland to May 10 prove that James was a usurper, because, being a Catholic, he could not inherit the English throne; and that the princess of Orange was the rightful sovereign, and ought to have succeeded on the death of her uncle, Charles II. The fleet in a complete state of equipment lay in the road of Schoonveldt, ready to sail on the first opportunity; the six British regiments, with the Dutch troops at Utrecht, and the garrisons in Zeeland, received orders to hold themselves in readiness to march at a moment's notice; and it was announced that the princess intended to pay a visit to

[1] La naissance du P. de Galles peut apporter un changement considérable, et fortifier le parti de la royauté. Les factieux cependant croient être en plus grande nécessité de s'opposer au desseins de sa M. B. et cela peut hâter l'exécution de ce qu'ils veulent entreprendre.—Barillon, 21 Juin. Yet at the same time, Dean Prideaux writes, "At present we are only hurt in imagination, and our great-"est torment is our fears of what may after happen; but I hope "they will prove to be only fears, and nothing else."—Ellis Corresp. ii. 48.

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the states of that province in July, and would be followed in a few days by the prince. As July was the month in which the queen of England expected to be delivered, there could be no doubt of the real object of this arrangement. William meant to show himself on the coast at the head of a considerable force for the encouragement of his adherents in England, and probably to pass over to their assistance should the birth of a prince furnish occasion to an insurrection. But the child was born a full month before the expected time, an unpropitious event, which broke all these counsels. Nothing more was heard of the visit to Zeeland; and William, in return to a communication from James, despatched Zuyleistein a second time to England, with his warm congratulations on so fortunate an occurrence. He could hardly expect to be believed; yet the mission, he trusted, would serve to lull the jealousy of the king; and, which was equally important, would furnish an opportunity of learning with accuracy the ulterior views, and the probable resources, of his party in England.

June 23. Zuyleistein was graciously received; but, instead of returning immediately to Holland, spent his time in paying visits to his friends, which, while he seemed to have no other object in view but pleasure, gave him the opportunity of conferring in secret with the adherents of his master.[1]

June 30. In one of these meetings, held at the house of the earl of Shrewsbury, that nobleman, with the earls of Devonshire and Danby, the bishop of London, the lord Lumley, Admiral Russell, and Sydney, afterwards earl of Romney,[2] subscribed in cipher an address to the

[1] D'Avaux, Lettres, du 20 Mai, 3, 10, 24 Juin, 1 Juillet. Burnet, iii. 246.

[2] Sydney was son to Robert, second earl of Leicester, and since

prince, stating that of the common people nineteen parts out of twenty longed most anxiously for a change; and that the nobility and gentry, though they did not express themselves with equal freedom, were animated with the same sentiments; that, if the prince were to land with a force sufficient to promise protection to his friends, he would in a few days find himself at the head of an army double in number to that of the king, and would see crowds of officers and privates abandon the royal standard for that of religion and liberty; that the present, considering all circumstances, was a most favourable moment for the attempt; and that, if he would engage to land before the end of the year, they, the subscribers, would not only join him themselves, but prepare others to accompany or follow them. One thing, however, they submitted to his most serious consideration. Could he assemble the necessary force without awakening suspicion? For if the design were to transpire, the immediate arrest and incarceration of his friends in England would deprive him of that aid and co-operation on which the success of the enterprise must in a great measure depend.[1]

It is probable that this memorial was transmitted to July 10.

his mission to Holland, in 1679, had enjoyed the confidence of the prince. He was the man who formed the association.—See Burnet, iii. 265.

[1] See it in Dalrymple, 222, subscribed by 25, 24, 27, 29, 31, 35, 33. The earl of Nottingham (23) refused to sign, pleading scruples of conscience, which his associates termed suggestions of cowardice. —Dalrymple, 232. Nottingham excused himself because "he apprehended no ill consequences to religion or the just interests of his highness which a little time would not effectually remedy, nor could he imagine that the papists were able to make any further considerable progress."—Ibid. 237, July 27. The same had always been the opinion of Lord Halifax, with whom the prince continued to correspond, without admitting him to his confidence, or placing any trust in his professions of service.—See several letters from Halifax in Dalrymple, 186, 209, 219, 235.

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the prince by the hands of Vice-Admiral Herbert, who, having been refused permission to leave the kingdom, escaped in the dress of a common sailor. Herbert was a bold and experienced mariner, who had tasted largely of the royal bounty, but had afterwards forfeited the command of a regiment, and the office of master of the robes, on account of his refusal to vote for the repeal of the Test Act. Russell had delivered to him an invitation from the prince, with the promise of a command in the Dutch fleet; and a strong but fallacious hope was cherished that his name would act as a spell to debauch the English sailors from their allegiance. The fugitive accepted the office of vice-admiral of North Holland, with a pension of six hundred pounds; and William, after a conference with him, forbade the young prince to be named in the prayer for the royal family, openly hinted his suspicion of an imposture, and instructed his dependants in Holland to pronounce the child supposititious. This he did in conformity with the advice of his English associates, as affording him a plausible pretext for coming to England to inquire into the supposed injury done to the rights of his wife; but James resented the omission of his son's name in the prayer as a personal injury; and the prince, who was not yet prepared for an open rupture, ordered it to be restored. What answer he returned to the memorial we know not: the purport of his answer may be collected from his subsequent conduct.[1]

It was a fortunate circumstance for the prince that the political state of Europe afforded him opportunities, which he dexterously improved, of promoting, and at the same time disguising, his design. That hostility

[1] Barillon, 20 Mars. Dalrymple, 225. D'Avaux, 20 Juil., 10 Août. Ellis Cor. ii. 160. Burnet, 754. Dalrymple, 293.

which events had originally engendered between him and the king of France, had subsequently been so far inflamed by mutual acts of provocation, that to humble the pride and reduce the power of Louis seemed for some years to have been his chief study and his ruling passion. In 1686, at his instigation, the emperor, the king of Spain in quality of duke of Burgundy, the king of Sweden in virtue of his dominions in Germany, and several other princes, had subscribed the league of Augsburg, under the specious pretext of maintaining the peace of the empire, but in reality to oppose the pretensions of France.[1] The next spring other powers, whose envoys met during the amusements of the carnival at Venice, acceded to the confederacy. More than one-half of Europe was thus engaged to fly to arms on the first aggression on the part of Louis; and with this view, not only the most powerful of the Catholic princes, but the pontiff himself, Innocent XI., had entered into bonds of the strictest amity with the prince of Orange. The death of Ferdinand of Bavaria, the elector of Cologne, in May, 1688, put this mighty confederacy in motion. That elector had possessed, besides Cologne, the bishoprics of Liege, Munster, and Hildesheim; his army amounted to twenty thousand men; and in the war of 1672 the co-operation of his forces, and the favourable situation of his dominions, had taught the French to prize his friendship, the allies to lament his enmity. Aware of the importance of providing for him a successor attached to the French interest, Louis had prevailed on the chapter to elect as his coadjutor the cardinal of Furstemberg, bishop of Strasburg. But as a qualification for the coadjutorship, it was necessary that he should

1686.

1687.

1688. May 25.

[1] Dumont, vii. par. ii. 130—138.

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previously resign his bishopric; and the pope, who had not forgotten the insults previously heaped upon him by Louis, refused to accept the resignation. The election was therefore null.

On the death of the elector, the choice of his successor devolved again to the chapter: Louis proposed the cardinal; the allies of the league of Augsburg the prince Clement of Bavaria, though only seventeen years of age. The former had the majority of voices; but two-thirds were required for a valid election; and in default of these the choice devolved to Innocent, who selected the prince of Bavaria.[1] The allies were equally fortunate at Hildesheim, Liege, and Munster: but, though in these places the French candidates were rejected, the principal fortresses, Bonn, Neutz, Keiserswert, and Rhinberg, were held by forces in the service of the cardinal, and consequently at the devotion of France. The armies on both sides were speedily in motion; and Louis, in a passionate manifesto, accused the pontiff of violating the laws of justice in favour of Austria, and of encouraging the prince of Orange to expel a Catholic king from the throne of England.[2] William viewed these events as they passed with the eye of an experienced statesman; he took an active and important part in every negotiation; and, while he silently prepared his expedition against England, pretended to have in view no other object than the defence of the empire and of his own country against the meditated aggression of France. Under cover of this pretence, he was able to infuse new vigour into the

July 9.

August 27.

[1] See note (G).

[2] Dumont, vii. par. ii. 167. There are in Dalrymple two letters from the cardinal d'Estrées at Rome, which, if they are genuine, show that the design of the prince had long been known to Cassoni, the papal minister, though concealed by him from the knowledge of the pontiff.—Dalrymple, 241.

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States-General and the several departments of the government. Orders were issued for the encampment of twenty thousand men between Grave and Nimeguen; fifty pieces of cannon, with the requisite supply of ammunition, were taken from the arsenals, and placed on flats to be conveyed to the rendezvous of the army; seven thousand men were raised for the naval, nine thousand for the military service; twenty-seven ships of war were added to the fleet of forty-four sail already in commission, and the squadron in the Zuider Zee received orders to proceed to the Texel, that it might be prepared to join the other squadrons at Helvoetsluys.[1]

July and August.

From the commencement of the year the French and English ambassadors at the Hague had watched with jealousy these proceedings of William, and had communicated their suspicions to their respective sovereigns. Louis at first, uncertain whether the Dutch armament was designed against the king of England or the king of Denmark, proposed to James the junction of the English and French fleets, as a measure of precaution:[2] afterwards, having obtained more correct intelligence, he warned his English brother of the impending danger, by repeated messages, from the end of

[1] D'Avaux, 27, 29 Juil., 10, 20, 21, 31 Août.

[2] This suggested to Sunderland a new intrigue for the sake of money. At first the proposal was received with an air of indifference; then an answer was given that James would fit out a fleet of twenty sail, provided Louis would defray the expense; and at last the form of a treaty was drawn, by which the king consented to equip the ships for a lower sum than had been previously asked, but under a secret understanding that the pension of Sunderland should be doubled. Louis, however, replied, that Denmark was no longer threatened; and that James must provide for his own security. The fleet was in consequence prepared for sea without any aid from France, and Sunderland obtained no addition to his pension.—See Barillon's Letters from the 22nd of March to the 2nd of June.

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May to the beginning of September; and at last he sent Bonrepaus to convince him of the design of the prince of Orange, to prevail on him to prepare against the invasion, and to offer to him the services of the French fleet.[1] But the infatuated monarch was deaf to every admonition. He refused to believe that a daughter, whom he tenderly loved, could ever conspire with her husband to dethrone her father; he concurred in opinion with Sunderland,[2] that the States would not suffer the prince to employ their naval and military force in a distant expedition, which must leave the country open to the ingress of the French army; and he gave credit to the concurrent assertions of William and of Van Citters, that their warlike preparations were provoked by the uncertain and menacing state of affairs on the continent. He was even led to suspect that the warnings which he received were in reality so many artifices employed to draw him into an alliance with France before the opening of hostilities in Germany, an alliance most hateful to his subjects, and contrary to the policy which he had hitherto pursued. Skelton, the ambassador at Paris, saw with pain the incredulity of his sovereign; he acknowledged to the French minister his conviction that his master was deceived and betrayed; and, through his anxiety to avert the catastrophe which he feared, gave his sanction to the following expedient, which nothing but

August 19.

August 20.

[1] His arrival provoked a report that he came to offer the king the aid of thirty thousand men; but his instructions related solely to the junction of the fleets.

[2] D'Adda, 3 Settembre. But while Sunderland endeavoured to persuade the king that there was no reason to believe in the probability of invasion (Dalrymple, 297; D'Adda, ibid.), he was careful to provide for his own security by assuring the prince, through Admiral Russell, of his "utmost services."—Dalrymple, 238.

the magnitude and the certainty of the danger could have excused.[1]

Albeville having by order of James demanded an explanation of the armaments going forward in the ports of the republic, D'Avaux the next day, in a long harangue addressed to the States, enumerated all the warlike preparations made by the stadtholder of his own authority and without the permission or knowledge of their high mightinesses; and he assured them that his sovereign, being perfectly acquainted with the real object of the prince, had instructed him to let them know that the king of England was the ally of the king of France, and that the first act of hostility committed against the former would be taken by the latter as a declaration of war. The same message was delivered at the same time to the Spanish governor of the Netherlands, and the Marshal d'Humières hastened from Paris to assume the command of the French army in Flanders.[2]

August 29.

August 30.

[1] Il est bien certain que ce grande armement ne peut regarder que l'Angleterre. Cependant le roi d'A. ne demande aucun secours au roi. . . . Enfin il paroit dans une lethargie surprenante. Le roi a fait parler sur cela à M. Skelton, et il paroit par ce que cet envoyé a repondu, qui le roi d'A. prétend être sûr de ceux qui commandent ses vaisseaux, mais qu'il n'a nulle sureté à l'egard des officiers et des troupes de terre . . . le dit sieur Skelton a répondu nettement que cette grande sécurité lui faisoit craindre avec beaucoup de raison que son maitre ne fut trahi, qu'il étoit informé des liaisons secrettes que quelques uns de ses principaux ministres avoient avec des gens entiérement dévoués au P. d'Orange, et il a même en quelque maniére designé myl. Sunderland.—Seignelay à Bonrepaus, 31 Août. For the source of Skelton's information see Dalrymple, Hist. i. 201, note.

[2] "Sa majesté m'a commandé de vous déclarer de sa part que les "liaisons d'amitié et d'alliance qu'elle a avec le roi de la G. B. "l'oblige non seulement à le secourir, mais encore à regarder comme "une infraction manifeste de la paix et comme une rupture ouverte "contre sa couronne le premier acte d'hostilité, qui se fera par "vos troupes, ou vos vaisseaux, contre sa majesté Britannique."—See also the letters of Louis to D'Avaux, 2 Sept., and Barillon, 3 Sept.

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If anything could have saved James from his impending fate, it was this declaration. The confidential friends of William heard it with feelings of shame and dismay, and a messenger was despatched to recall him from Minden, where he was in close consultation with his German allies, who engaged to supply him with fifteen thousand auxiliaries, undoubtedly intended to supply the place of the men who should accompany him to England.[1] But the English king proved his own enemy. He was not yet convinced that the armaments in Holland were designed against himself:[2] his pride was offended that Louis without solicitation should take him under protection, as if he were a petty prince of the empire; and he feared that the bold but unfounded assertion of D'Avaux would persuade his subjects that he had entered into a secret alliance with France, a charge which he had always denied. To add to his embarrassment, Van Citters, the Dutch, and

[1] Dalrymple, 253. William was content with informing James, that the object of his visit to Minden was to confer with some of the German princes (ibid. 294), but Mary, who scrupled not to deceive her father that she might prevent him from discovering the design of her husband, assured him that the sole object of the prince was to hasten the advance of his German allies to the Rhine, that they might be ready to oppose the French army.—Baril. 16 Oct.

[2] Though Louis repeatedly complained of the supineness, the "lethargy" of his English brother, James persisted in thinking that the preparations in Holland were in reality designed against France. That he was wrong, the event has proved: but we are not to condemn him too severely; for Louis himself was, at times at least, of the same opinion. That monarch, in a letter to D'Avaux of the 30th Sept. N.S., expresses his doubts on the subject, and in a second of Oct. 7, his conviction that the preparations are designed against himself. He had that morning resolved to declare war, but something had since happened to raise new doubts, and he would therefore wait the event . . . "il n'y a plus qu'à attendre l'événement." This appears to me to be the real meaning of his letter.

Ronquillo, the Spanish ambassador, complained of the deception which had been practised upon them, asked for some explanation of the secret treaties between the two kings, and justified the armaments in Holland from the danger to which the States were exposed by the union of James with their inveterate foe, the French monarch. The king replied with warmth that he was not a cardinal of Furstemberg, to seek protection under the wings of a foreign prince; that from the commencement of his reign to that hour he had entered into no engagement whatever with Louis, and that Skelton had acted without instructions, and should suffer for his presumption. In effect, he recalled that minister, and committed him to the Tower.[1] Sept. 17.

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But what, it may be asked, was the real object of Louis: the safety of the English king, or some private interest of his own? If we consider that he had even then determined to make war on the emperor, that his plan of operations was already arranged, and that his numerous forces were already put in motion, it will not be unfair to suspect that he chiefly sought under the cover of this declaration to conceal his real purpose from the knowledge of the neighbouring powers. Within a fortnight the mask was thrown away. The French armies hastened from every quarter towards the Rhine; Philipsburgh was invested by the dauphin, and war was proclaimed against the emperor and empire, with an intimation that the king still intended to observe the peace with Holland, and the truce of twenty years with Spain. Never was intelligence more welcome to the prince of Orange. The removal of the French force from Flanders and the Sept. 14.

[1] Barillon, 16, 18, 20, 23, 25, 27, 30 Sept. D'Avaux, 18, 23, 24, 27 Sept.

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pacific intimation of Louis left him at liberty to pursue his own design against James; and the relief afforded to the anxiety of the Hollanders was manifested by an immediate rise of ten per cent. in the price of the public securities.[1]

In England the effect was very different. A new light burst on the affrighted monarch, who at last saw the danger which threatened him in all its magnitude and proximity. The friendship of Louis had proved a broken reed; and the security which he derived from the position of the French force on the Dutch frontier had unexpectedly vanished. 1. The council assembled, and orders were sent to Albeville to assure the States that no treaty existed between England and France but such as had been published; that James looked on the siege of Philipsburgh as a violation of the truce of twenty years, and that he was ready, as a guarantee of that truce and of the peace of Nimeguen, to join his forces with those of Spain and the States for the preservation of the peace of Europe.[2] It was hoped that this overture would operate as a lure on the States and their allies; that it would lead at least to delay and negotiation; and would deter the Dutch government from lending their naval and military force to the prince, when every national object might thus be obtained with less danger and at a cheaper

Sept. 26.

[1] Dumont, vii. part ii. 160. D'Avaux, 27 Sept., 7 Oct. Barillon, 25 Sept. Burnet, iii. 284. Négociations de D'Avaux, vi. 134, 137. To that minister Louis excuses his conduct in these words: "Je "ne doute pas que la prise des principales places de Flandres n'eut "donné plus d'apprehension aux Etats généraux que celle de Philps-"burg . . . mais la nécessité de prévenir les mauvais desseins de "la cour de Vienne ne m'a pas laissé d'autre parti à choisir que "celui que j'ai pris." (14 Oct.) In another letter to Barillon he enters into more particulars (13 Oct.)

[2] Mémoire présenté par le marquis d'Albyville du 5 Oct. D'Avaux, 5, 7 Oct. Barillon, 3, 7 Oct. Kennet, 489.

rate. Eight days elapsed before an answer was returned, during which William visited the deputies separately, explained to them his views and resources, and prevailed on them to believe that his intended expedition was necessary for the safety of their religion, and the independence of their country. At last a formal reply was made, at once illusory and insulting; Oct. 4. illusory, as it took no notice of the offer put forward by James, and insulting, inasmuch as it intimated an inclination on the part of the States to restore confidence between the king and his subjects by procuring security for the religion and liberties of the English nation.[1]

2. But James did not wait for this answer. The impolicy of his past misrule now flashed on his mind; he hastened to repair his former errors, and hoped by retracing his steps to recover the confidence of his subjects. Scarcely a day passed which was not marked by some new concession, granted with apparent cheerfulness, but in reality wrung from him by the necessity of his situation. He condescended to solicit the advice Sept. 22. and aid of the bishops whom he had so lately prosecuted; he ordered the deputy lieutenants and the Sept. 26. magistrates who had been removed for their answers to the three questions, to be immediately restored; he Sept. 28. announced by proclamation the design of invasion by the prince of Orange, his own intention of refusing foreign assistance, and of relying on the loyalty of his people, and the necessity of revoking in such circumstances the writs which he had issued for the meeting of parliament in November;[2] the bishop of London Sept. 30.

[1] Résolution des Etats du 14 Oct. D'Avaux, 14, 18 Oct.

[2] Several councils had been held about the end of August, in which Sunderland advised, Jeffreys opposed, the calling of a new

CHAP. IV. A.D. 1688. was restored to the exercise of his episcopal jurisdiction; at the suggestion of Jeffreys, the old charter was given back to the city; the advice offered by the prelates under ten heads was graciously and thankfully received;[1] the dissolution of the ecclesiastical commission was followed by the restoration of Dr. Hough and the fellows of Magdalen College;[2] the cities and boroughs recovered their ancient privileges, and a general pardon was published, with the exception by name of certain persons, almost all of whom were actually serving under the prince of Orange. These were concessions of great importance; particularly that which, by restoring the election of representatives to those persons in whom it formerly resided, took away the chief pretext set forward by William,—the necessity of procuring a free parliament. A deputation from the citizens waited on the king to express their

Oct. 2, 3. Oct. 5. Oct. 12, 17.

parliament. Sunderland prevailed. His great argument was, that to prepare for the meeting of parliament the discontented would cease from their intrigues with the prince. He proposed that an attempt should be made to repeal the Test Act and the penal laws, leaving the oaths of allegiance and supremacy as qualifications for a seat in the House of Commons; and thought that this measure might be carried, if the king would create a certain number of new peers, and order all officers under government to exert their influence in its favour.—D'Adda, 16 Luglio, 3, 10 Settembre. Ellis Corresp. ii. 144.

[1] Of these ten heads, the five following were not immediately adopted. That he should recall all dispensations, should forbid Catholics to teach schools, should inhibit the Romish bishops from further invasion of episcopal jurisdiction, should fill the vacant bishoprics, and above all, should allow the prelates to offer to him such arguments as might lead him back to the established church.

[2] As some delay took place, a report was circulated, ascribing it to a change in the royal purpose, on account of the arrival of good news from Holland. Many from that moment refused to place any faith in the king's word; but James assured the archbishop that the delay was owing entirely to the negligence of the bishop of Winchester.—Clar. Corresp. ii. 493. That such was the case, appears from Macpherson's Orig. Pap. i. 271, 274. Sydney College was also restored.—Jam. ii. 190.

gratitude; and the recovery of the charter was celebrated with the usual demonstrations of public joy: the dukes of Somerset, Ormond, and Newcastle, the marquess of Winchester, the earls of Derby, Nottingham, and Danby, the bishop of London, and several others, either in person or by letter, assured him of their fidelity; and the prelates adopted a general form of prayer for the safety and prosperity of the royal family. But in all this there was much of deception and perfidy. Most of these peers and three of the bishops had already pledged their services to William. Their protestations of loyalty were wrung from them by the fear of being taken into custody upon suspicion before the arrival of the Dutch armament; and, if they sought in this manner to blind James by the profession of attachment to his person, they were careful at the same time to inform the people, by their emissaries, that it was not to him but to the prince that they owed the benefit of the recent concessions; a benefit which would not be of long continuance, if it were left to depend on the pleasure of the king: it had been extorted from him by fear, it would be resumed on the return of confidence.[1]

3. At the same time James made every exertion to augment his naval and military force. He gave the command of the fleet, which consisted of thirty-seven men-of-war and seventeen fire-ships, to the earl of Dartmouth, an old and trusty adherent, with instructions to station himself off the Gun-fleet, to watch the motions of the enemy, and to aim chiefly at the destruction of the transports. The army, by the levy of new regiments and independent companies, and the

[1] Gazette, 2384, et seq. Clarendon's Diary, 190. Bishop of Rochester's Second Letter, 30, 44. Echard, 1113. Kennet, 489, 491. Barillon, 4, 14, 18, 25, 28 Oct., 1 Nov.

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arrival of six thousand five hundred men in detachments from Scotland and Ireland, was raised to the amount of forty thousand men.[1] The command was taken by Lord Feversham, the same who had opposed the duke of Monmouth, aided by his brother, the Count de Roye, an officer of greater talent and longer experience. The fleet was much inferior to that of the prince, but the king believed that he might rely with confidence on the devotion of the sailors: in military force, as far as regarded number, he was plainly superior, but all acknowledged that the fidelity of both officers and men was very problematical.

In the meanwhile it had been determined in the councils of William to rest the defence of the intended expedition on two grounds,—the necessity of inquiring into the birth of the nominal prince of Wales, that the descent of the crown might be preserved in the royal family, and of procuring a free parliament, that an end might be put to the dissension between the king and the people. With this view was published a long and bitter invective against James, in the form of a memorial supposed to be presented by the Protestants of England to the States, but composed under that name at the Hague by Dr. Burnet,[2] who seems to have readily sacrificed the interests of truth to the pleasure of his patron and the gratification of his revenge. It begins with a copious enumeration of the liberties confirmed by law to the freemen of England, and of the instances in which they had been violated by

[1] On the 19th of August it consisted of thirteen regiments of cavalry and nineteen of infantry, or six thousand and fifty horse, and thirteen thousand four hundred and twenty foot. The regular force in Ireland amounted to seven thousand and sixty, in Scotland to two thousand three hundred and sixteen men.

[2] Personne ne doute que ce ne soit le docteur Burnet qui n'ait redigé ce mémoire.—D'Avaux, 1 Nov.

the despotism of James. It then maintains that the right of succession must for the sake of public tranquillity be placed beyond the reach of suspicion; that it is the duty of the reigning prince to establish by convincing evidence the pregnancy of his wife and the birth of his children, not by the testimony of servants or physicians, or men holding office at pleasure, but of persons interested in the succession, or individuals having nothing to hope or to fear from the friendship or hatred of the monarch. This is prescribed by law, and reason, and custom; where this is observed, no fraud can be practised; where it is neglected, fraud may be inferred. It next strings together a multitude of circumstances regarding the birth of the prince, some real, many fictitious, which accord not with the preceding doctrine, and from them it draws a strong presumption that the queen's pregnancy was a pretence, and her delivery an imposture. In conclusion, the supposed memorialists are made to pray that William would take under his protection the rights of the crown and of the people, and that he would not suffer the claim of his wife to be set aside without inquiry, nor the liberties of the nation to be sacrificed to popery and arbitrary power. So much importance was attached to this false and insidious publication, that the prince took with him eighty thousand copies to England.[1]

With this memorial were also printed two declarations, addressed in the name of William to the people of England and Scotland. Assuming that his interest in their welfare imposes on him the duty of protecting their civil and religious liberties, he describes the despotism under which they groan, the injuries offered to the Protestant church, and his suspicion of

Sept. 30.

[1] Dumont, vii. part ii. p. 179, 198. D'Avaux, 28 Oct.

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imposture in the birth of the young prince. To the Scots he declares his intention of establishing their rights and religion by parliament on so firm a basis that they may stand unimpaired for ever; to the English that, if he come with an armed force, it is only for the protection of his own person; that his object is to obtain a free parliament by the restoration of the ancient charters, and the re-appointment of the former magistrates, and then to refer to that parliament the inquiry into the legitimacy of the king's supposed son, the redress of grievances, the security of the Protestant religion, the comprehension of dissenters within the pale of the church, and the protection and tranquillity of all other religionists willing to live as good subjects in due obedience to the laws.[1]

But, besides the people of England and Scotland, there remained others whom it was incumbent on him to persuade of the rectitude of his intentions,—the Catholic princes, his allies, who might be provoked to withdraw from the confederacy, if they found that he abused the benefit of their friendship to undertake a crusade for the dethronement of a Catholic sovereign on account of his religion. He wrote to the emperor and the king of Spain, informing them that his voyage to England was undertaken at the request of the Eng-

Oct. 14.

[1] Dumont, ibid. 198, 205. Several draughts of a declaration had been sent from England, out of which one was composed by Fagel, and afterwards amended by Burnet.—Burnet, iii. 286. A fortnight later it was known that the king by his concessions had anticipated the demands of the prince, and on Oct. 14 a postscript was added, stating that James had not disclaimed his pretensions to arbitrary power, and would revoke these concessions whenever he dared: the only remedy was a declaration of the rights of the subject: wherefore William would leave all things to the decision of a free parliament. The king ordered both to be reprinted for circulation, "with "a short preface and some modest remarks," published by Randal Taylor, near Stationers' Hall, MDCLXXXVIII.

lish nobility, and for the purpose of effecting a reconciliation between the king and his subjects; that he should take with him a small military force, both infantry and cavalry, but solely for the protection of his person; that he had no intention of offering injury to the king or the rightful heirs, much less of advancing any claim to the throne, or of occupying it himself; that he hoped, by establishing the rights and religion of the people on their former basis, to restore tranquillity, and enable the British nation to concur in the common cause of Christendom; and that, in his attempt to effect this object, he would employ all his credit and authority to secure to the English Catholics liberty of conscience, and freedom from persecution.[1] CHAP. IV. A.D. 1688.

Such pretences might impose on the ignorance of monarchs living at a distance; but it required no small share of credulity in persons residing on the spot, with the evidence of such mighty preparations before their eyes, to believe that the prince confined his views to the disinterested task of mediating between James and his subjects: yet the States-General were seduced to give to the falsehood the sanction of their authority, and in a circular letter, transmitted to all the foreign envoys at the Hague, with the exception of D'Avaux and D'Albeville, they stated that a well-grounded apprehension of the hostility of the king of England, should he succeed in trampling down the liberties of his people, had led them to assent to the request of the prince of Orange, and to lend him a few ships and men as auxiliaries, being assured that he had no design of invading the realm, or of dethroning his Oct. 18.

[1] Dalrymple, 255. Nég. du comte d'Avaux, vi. 157. Supplément à la Correspondance de M. d'Avaux, vol. 147.

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uncle, or of persecuting the Catholics, but only of procuring a free parliament, in which liberty and religion might be secured by just and salutary laws.[1] The history of diplomacy is in a great measure made up of attempts to beguile and to mislead: but never perhaps was positive falsehood so boldly and unblushingly put forward, as in these memorials of the prince and of the States.

William had originally fixed on the first full moon after the equinox for the sailing of the expedition. Having reviewed the army near Nimeguen, he ordered one portion to fall down the river to Rotterdam, and the other to follow the course of the Yssel to Campen. The canals and rivers were immediately covered with craft of every description, and boats carrying men, horses, arms, and ammunition poured from every outlet, and hastened to the two great divisions of the fleet in the Zuider Zee, and the mouth of the Meuse. When these had united, they formed an armament worthy of the splendid prize to which the adventurer covertly aspired. Sixty men-of-war took under their protection seven hundred sail of transports: the force which he had collected, "solely for the protection of his person," amounted to four thousand five hundred cavalry and eleven thousand infantry; and an immense supply of military equipments revealed his expectation of a numerous reinforcement. He also took with him Marshal Schomberg, the count of Nassau, the count of Solms, General Ginkle, and the best officers in the Dutch service; the earl of Macclesfield, Burnet, Peyton, Wildman, Ferguson, and the other British exiles eight hundred French refugees, and the many Englishmen who had recently come to join him in Holland.

[1] Dumont, vii. part. ii. 208.

Of the latter the most distinguished were the earl of Shrewsbury, who, having raised forty thousand pounds on mortgage, had offered the money with his sword to the prince; Lord Wiltshire and his brother, sons of the marquess of Winchester; the Lord Eland, son to the marquess of Halifax; Lord Dunblaine, son to the earl of Danby; the lords Lorn and Mordaunt, and the two naval officers Herbert and Russell.

It chanced, however, that a few days before the appointed time a strong wind arose, veered from south to west, and blew with such violence, that the fleet, which had put to sea under the command of Herbert, was compelled to seek shelter at Helvoetsluys. The States ordered public prayers for more favourable weather; but though the churches were crowded with suppliants, Heaven appeared deaf to their petitions. For more than a fortnight the storm continued to rage, with the exception of a few short intermissions: by the soldiers and mariners its duration was deemed a proof of the divine displeasure; and to check the spread of this superstitious but dangerous alarm, it was found necessary to prohibit under severe penalties the use of ominous or discouraging language.[1] At last the violence of the wind abated, and William took leave of the States in a solemn and public audience. He thanked them for their kindness to him from his childhood, and assured them of his gratitude. Their confidence in him at the present time was unbounded; and he prayed that God might blast all his projects, if he did not make them an adequate return. He was departing on a foreign expedition, not to dispossess others of their rights, but to establish religion on a secure

Sept. 28.

Oct. 13.

Oct. 15.

[1] D'Avaux, 8, 11, 14, 15, 18, 19, 21, 22 Oct. Négociations, vii. 142, 150.

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and permanent basis. Whatever might be his fate, he recommended the princess to their protection, and of this he prayed them to be assured, that if he fell, he should fall their servant, and if he lived, he would live their friend. The task of answering him was committed to his trusty adherent, the pensionary Fagel, whom age and infirmities had brought to the brink of the grave. The States, he replied (such confidence did they repose in the wisdom and patriotism of the prince), had placed their army, their navy, and their treasure in his hands; they had ordered a solemn fast to be observed through the seven provinces for the success of his arms; and they earnestly prayed that God would render him the deliverer and protector of the Protestant faith. One thing only they begged of him in return, that he would not unnecessarily expose his person. The loss of him would be to them a greater calamity than the loss of both army and navy. At these words the old man burst into tears, and his emotion impeded his utterance. On the spectators the scene made a deep impression: but the prince exhibited no change of countenance. His friends affected to admire his firmness and magnanimity; others charged him with a selfish apathy, an indifference to every object except his own interest.[1]

Oct. 17.

The fast-day was celebrated at the Hague with extraordinary solemnity, and the service of three long sermons, separated by prayers of equal duration, was protracted from half-past ten in the morning till half-past seven in the afternoon. During the whole time the princess attended in the great church, and bore without shrinking the gaze of an immense multitude.

[1] D'Avaux, 28 Oct. Négociations, vi. 153. Ellis Correspondence, ii. 251. Burnet, iii. 297.

Hers, indeed, was a most singular situation. She could not pray for the success of her husband, without praying for the dethronement of her father. But, whatever passed within her breast, whether she looked with sorrow on the calamities with threatened her parent, or flattered her own vanity with the near prospect of a crown, she was able to disguise her feelings. Mary listened to the preachers, and joined in the prayers, with as much apparent tranquillity, as if she had nothing to hope or fear from the result.[1]

On the afternoon of the 19th of October the expedition sailed from Helvoetsluys, the men-of-war in three divisions forming a line out at sea, and the transports taking their allotted stations between that line and the shore. It blew a steady breeze from the south-west; scarcely a cloud obscured the heavens; and, as the fleet passed by Scheveling towards the north, the whole population of the Hague rushed to the shore, to view the proud and animating spectacle. Little did William anticipate the contrast exhibited on the following day. It was his intention to proceed to a certain distance, and then alter his course for the coast of Yorkshire, where he was expected by the earl of Danby; but about ten in the evening the wind suddenly changed to the west, and by midnight the storm had dispersed the fleet in every direction. The next morning the prince regained his former anchorage with about sixty sail: of the others, some rode out the tempest, while the rest sought shelter in the different roads and havens. When, however, the extent of the loss could be ascertained, it proved much less than had been expected. Only a few ships had foundered; but all were

Oct. 19.

Oct. 20.

[1] D'Avaux, ibid. The Spanish ambassador ordered a solemn high mass to be performed in his chapel for the same object.—Ibid.

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damaged, a thousand horses had perished through want of air, and an immense quantity of stores had been damaged or thrown overboard. William immediately solicited fresh supplies from the States; but refused to quit the fleet, urging the repairs by his own presence, and restraining by his authority the spirit of disaffection and mutiny, which began to manifest itself among the military.[1]

This event afforded a new respite to James. Many of his friends had complained, many had even considered it as a proof of treachery in his advisers, that during the preceding period of suspense and suspicion no care had been taken to interrupt the communication between the discontented in England and the prince in Holland. Even now that their object was openly avowed, that the individuals in the secret were pointed out by public report, they were neither molested nor restrained. In former times, on the first apprehension of the arrival of a foreign enemy, it had been the practice to require from suspected persons security for their loyalty, or to commit them to safe custody; but, in defiance of the strong remonstrances of Melfort, James was dissuaded from following the precedent by Sunderland, who maintained that such arrests would be productive of little benefit, and yet add considerably to the public discontent. The only precaution which the king condescended to take, was one which cost his pride a severe struggle, but which he deemed necessary to refute the charge made in the pretended memorial of the English Protestants, and to place the birth of his son beyond the reach of cavil in the event

[1] D'Avaux, 1, 2, 4, 8, 9 Nov. See also "An Exact Diary of the "late Expedition by a Minister, Chaplain in the Army. London. "1699." The minister's description of this storm is sufficiently ludicrous.

of his own death. By his order the privy council, the peers residing in the vicinity of the capital, the judges, the lord mayor and aldermen, and the law officers of the crown, were summoned to Whitehall; and before them he introduced, for the purpose of detailing the particulars of the queen's delivery, every person present on that occasion; namely, the queen dowager, two-and-twenty females, some of them menial servants, others ladies of the highest rank, and nineteen noblemen, gentlemen, and physicians. The depositions of all, with the exception of the queen dowager, were taken upon oath, confirmed by them the next day, and enrolled in Chancery; and formed altogether a mass of evidence which it is impossible for any unprejudiced mind to resist.[1] The enemies of the king, however, were not slow to object, that the person the most interested in the succession, the princess Anne, had not been present either at the delivery or at the investigation: but the fact is, that her absence on both occasions had been of her own choice; she had gone to Bath that she might not assist at the birth, and had refused to attend the council under the pretended fear of a miscarriage. On this account the council waited on her with a copy of the evidence, to whom she replied, "My lords, this was not necessary; the king's word is "more to me than all these depositions:" and yet we are assured by her uncle, Clarendon, that she was at that very time in the daily habit of making the birth of her brother a subject of doubt and sarcasm.[2]

Oct. 22.

Nov. 1.

[1] Barillon, 1, 11 Nov. "The several declarations, &c. made in "council on Monday, Oct. 22, 1688, concerning the birth of the "prince of Wales."—James, ii. 196, 203. Clarendon's Diary, 196.

[2] "Mad. la princesse de Danemark n'étoit pas à l'accouchement "de la reine d'A. elle étoit encore aux bains. C'est une faute qu'on "a faite en ce temps là de ne l'avoir pas empêchée d'y aller. Je

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This was the last measure which marked the administration of Sunderland. His reign, as well as that of his supporter, Father Petre, was at an end. The charges of perfidy, formerly made against him, he had successfully rebutted by his protestations and reasoning: and by his open profession of the Catholic faith on the birth of the prince, he had fixed himself more firmly than ever in the confidence of James, who believed that by this step the minister had bound up his own fortune with that of his sovereign.[1] But his opponents continued to cherish the same suspicion of his fidelity, and the same objections to his policy; and they took advantage of this season of alarm to represent to the king, that the counsels which had brought his throne into danger originally emanated from Sunderland, and from Petre the dupe of Sunderland, from the one through considerations of interest, if not of treachery, from the other through credulity and religious zeal; that all their promises and predictions had

"sais qu'on lui a insinué de venir déposer de la grossesse de la "reine, mais elle s'en est excusée sur ce qu'elle n'ose sortir de sa "chambre de peur de se blesser, croyant elle même etre grosse. "Cette excuse est une affectation pour ne se point expliquer sur une "matiére si importante. La verité est qu'elle favorise le parti du "P. d'Orange, autant qu'elle l'ose faire, sans se déclarer ouverte-"ment: et je sais que jusqu'à présent elle n'a pas dit un mot au "roi, ou à la reine sur l'entreprise du P. d'Orange, quoique ils en "aient souvent parlé en sa présence."—Barillon, 4 Nov. That Barillon was correct is evident from the Diary of Clarendon, in which we find that, as often as he wished to talk with her on public affairs, she evaded the subject.—Diary, Sept. 23, 27, 29; Oct. 21, 23. As to her excuse of pregnancy, it was a falsehood, as her husband, the Prince George, told Clarendon. "This startled me," he says; "good God, bless us! nothing but lying and dissimulation "in the world."—Diary, p. 216.

[1] Barillon, 8 Juillet. "Ce que vient de faire ce ministre donne "un nouvel éclat à sa faveur, et augmente beaucoup, son crédit . . "il a voulu fermer la bouche à ses enemis, et leur ôter tout prétext "de dire, qu'il put entrer quelque ménagement dans sa conduite "pour le parti de M. le P. d'Orange."—Ibid.

been falsified by the course of events; that the presence of Petre at his councils still shocked the feelings of his Protestant subjects, and that the confidence which he reposed in a minister generally reputed a traitor, chilled the ardour, and paralyzed the efforts, of his most devoted adherents. Overcome by their importunity, James declared that Petre should from that day cease to take his place at the board, and soon afterwards sent for the seals of office from Sunderland, not, he assured him, from any doubt of his loyalty, but through the necessity of complying with the demands of others. Petre obeyed, but still remained at Whitehall in his post of clerk of the closet;[1] Sunderland withdrew to Windsor, where he affected to consider himself a martyr in the cause of that religion which he had lately embraced; but probably consoled himself with the hope that what had caused his removal from the councils of the king would operate as a proof of merit in the estimation of the prince.[2]

Oct. 22. Oct. 27.

To Sunderland, as secretary for the southern department, succeeded the earl of Middleton, and to Middleton, as secretary for the northern department, the lord Preston, both Protestants, known to be strongly attached to the person of the king, and as warmly opposed to the reckless, headlong course which he had previously pursued. Their first advice was that he should prepare an answer to William's declaration, and with that view should call upon the peers

[1] Of Petre it was asserted in 1690 by one who knew him well, that he accepted the honours forced upon him with reluctance and regret, and that he had repeatedly on his knees solicited permission of the king to withdraw from court into private life. "Non semel, "et quidem de genibus, supplex petiit ut sibi liceret, bonâ regis "veniâ, ab aulâ et rebus gerendis se subducere."—Oliver, Collect. 150.

[2] Barillon, 6, 9 Nov. James, ii. 203, 204. See note D.

CHAP. IV. A.D. 1688. and prelates in the capital, to admit or deny the truth of the passage which stated that the prince had "been invited to England by divers lords both spiritual "and temporal." When James asked this question, Halifax, Nottingham, Clarendon, Pembroke, Burlington, and some others, declared on their honour that they were ignorant of any such invitation: and it is probable that they could make the assertion with truth; for, though all had corresponded with the prince, and though the first two were deeply engaged in his interest, yet none of them enjoyed the confidence of his more trusty associates. Of the prelates, the archbishop, with the bishops of Durham, Chester, and St. David's, re-
Nov. 1, 2. turned an express denial; but the bishop of London, who had subscribed his name to the original invitation, replied in more evasive language, "I am confident the "rest of the bishops will as readily answer in the nega-"tive as myself."[1] Whether the king noticed the subterfuge is uncertain: but it was his interest to take it in a favourable sense; and he requested to have the denial in writing, that he might send it for signature to the other prelates, adding that it would be well to add also their disapprobation of the expedition itself. This unexpected demand disconcerted them: they were not prepared; they asked time to consult together, and, though James sought by messages to quicken their
Nov. 6. tardiness, did not return with their answer, before it was known that the Dutch fleet had passed the Straits of Dover, and was actually steering down the Channel. Then they begged to be excused; but their reasons were too weak, too unsatisfactory, to disguise their real motive,—either a secret approbation of the design, or a fear of incurring the displeasure of the prince. James

[1] See Clar. Corresp. ii., App. 494, 503.

could not control his feelings. "If ever," says the bishop of Rochester, "in all my life I saw him more "than ordinary vehement in speech, and transported "in his expressions, it was on this occasion."[1]

William had again sailed from Helvoetsluys in pursuit of the English crown. By friends and foes it was believed that he intended to land on the coast of Yorkshire: but, having steered for twelve hours to the north, he changed his course, and availing himself of a favourable wind, passed without opposition the royal fleet in the Downs, and in two days reached Torbay, his real destination.[2] James was surprised and confounded: he had relied on the zeal and promptitude of Lord Dartmouth, and was at a loss to account for the inactivity of that officer. But the same wind, which was favourable to the prince, was adverse to Dartmouth. His cruisers had been driven back by the violence of the gale; and his fleet, having been compelled to strike the yards and topmasts, rode at anchor abreast of the Long-sand, at the very time when the hostile arma-

Nov. 1. Nov. 2. Nov. 3. Nov. 5.

[1] See Clar. Diary, 199—201; Clar. Cor. ii. App. 493—504 Bishop of Rochester's Second Letter, 44—49; James (Memoirs), 210, 211; Macpherson Papers, i. 276—279. The reasons with which they sought to colour their refusal, were the following: 1. He was satisfied of their innocence; this was enough; why should they seek to satisfy others by a public declaration? 2. There was no proof that the manifesto of the prince was authentic: it was therefore beneath them to give to it importance by noticing it. 3. They had already suffered for meddling with secular matters: the declaration required from them might hereafter be deemed a libel. 4. They were peers: no declaration had been demanded from temporal peers, why was it demanded from them? 5. They would do their duty. As bishops they would pray for him; as peers would speak their minds in parliament. It is not surprising that reasons so unsatisfactory should provoke some expression of displeasure. The archbishop, however, sent an answer under his own hand, "that he had "never invited the prince by word, writing, or otherwise, nor did "he know, nor could he believe, that any of the other bishops had "done so."—Ibid.

[2] Exact Diary, 28, 38. Burnet, iii. 309.

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ment passed at the distance of a few miles. Twenty-four hours elapsed before he could commence the pursuit, and from that he afterwards desisted, on the representation of his officers, that to attack the Dutch, after the transports were safe in harbour, would expose the fleet to destruction in an unequal contest. By many of the royalists the tardiness of the admiral was attributed to disaffection or fear: but James, though doubts and misgivings harassed his mind, was too just to condemn an old friend without hearing his defence, and too prudent to hint suspicion, when that hint might provoke the very disloyalty which he feared. He assured Dartmouth that he acquitted him of all blame: every seaman must be convinced that he had done as much as man could do in opposition to wind and weather; all that remained was for him to be constantly on the watch, and to avail himself of every advantage which accident might offer.[1]

Nov. 9.

To oppose the prince by land he resolved to collect his army in the neighbourhood of Salisbury. Louis by repeated messages had advised him to march in person, and to offer battle to the invaders, a measure which, by bringing the contest to an issue before the spirit of disaffection had spread among his troops, might perhaps have saved his crown. The earl of Feversham and the count de Roye disapproved of this counsel, and urged him to occupy a situation at a less distance from London, so that he might watch the motions of the enemy without losing sight of the capital.[2] On the other hand Father Petre conjured

[1] Dalrymple, 314, 315, 319, 325. James (Memoirs), ii. 206, 207.

[2] They did not deem the English army equal to a contest with veteran soldiers. "On ignore ici jusqu'aux moindres régles de la "guerre: et hors quelques officiers qui ont servi en France et Hol-

him not to leave Westminster. This was the great error committed by his father, an error which cost him both his crown and his life. Let him look at the state of the metropolis: his presence did not prevent the populace from demolishing the Catholic chapels: who then in his absence would answer for the lives of his wife and his son? But Petre was thought to speak from interested motives—for the populace had repeatedly called for his blood—and James, adhering to his own opinion, ordered twenty battalions of infantry and thirty squadrons of cavalry to march towards Salisbury and Marlborough. Six squadrons and six battalions were left to maintain tranquillity in the capital.[1] CHAP. IV. A.D. 1688. Oct. 7.

The prince, though he had been permitted to land without opposition, did not meet with the reception which he had been taught to expect. At his approach to Exeter the bishop and dean fled from the city; the clergy and corporation remained passive spectators of his entry; though the populace applauded, no addresses of congratulation, no public demonstrations of joy, were made by the respectable citizens; the inhabitants of the county, who had not forgotten the terrible lesson taught by Jeffreys, remained quiet at their homes, the canons refused to assist at the *Te Deum* ordered to be chanted in the cathedral, and the very choristers, when Dr. Burnet began to read the declaration of the prince, withdrew from the church. Lord Lovelace, indeed, who had visited him in Holland, and returned before him to England, had collected a body of sixty or one hundred horsemen, with the Nov. 8.

"lande, le reste n'a pas les premiéres teintures du métier de la "guerre."—Barillon, 9 Dec.

[1] Barillon, 18, 22, 25 Nov.

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intention of joining the army at Exeter, but he was attacked, defeated, and taken prisoner by the militia near Cirencester. William was disappointed; he complained that he had been deceived and betrayed; he threatened to re-embark, and to leave his recreant associates to the vengeance of their sovereign. Still, however, his hopes were kept alive by the successive arrival of a few stragglers from a distance: in a short time they were raised almost to assurance of success by the perfidy of Lord Cornbury, son of the earl of Clarendon.[1]

Soon after the invitation sent to the prince, a secret association in his favour had been formed among the officers of the army encamped on Hounslow Heath, and a communication was opened between them and the club at the Rose Tavern in Covent-garden, of which Lord Colchester was the chairman. That Lord Churchill, who held the rank of lieutenant-general, was acquainted with their councils, can hardly be doubted. On the arrival of the prince in Torbay, Churchill stationed at Salisbury three regiments of cavalry, commanded, in the absence of their colonels, by three of the "associated" officers. Of these Cornbury was the senior; and he, having arranged the

Nov. 10.

plan with his accomplices, and ordered the whole division to march at an early hour in the morning, led them by a circuitous and unfrequented route to Axminster, near the advanced posts of the invading army. After a day's repose, the men were ordered to remount, for the purpose of beating up the quarters of the enemy at Honiton during the night. But hints of the

Nov. 12.

design had been whispered; Cornbury was requested

[1] James (Memoirs), ii. 215. Burnet, iii. 313. Exact Diary, 48. Ellis Correspond. ii. 295.

to exhibit his orders; and on his refusal was so terrified by the threats of the loyal officers, that he stole away and escaped to the enemy, while his regiment, and that of the duke of Berwick, with the exception of thirty troopers, marched back to Salisbury. The third regiment, belonging to the duke of St. Alban's, had mustered at a distance; and the men, ignorant of this transaction, followed Colonel Langston to Honiton, where they were received as friends by General Talmash at the head of a considerable force, and solicited by him to enter into the service of the prince. Most of the officers and one hundred and fifty privates consented: the rest were made prisoners, but afterwards discharged.[1]

To James the loss in number of men was inconsiderable, and might speedily be repaired: there was even much to encourage him in the spirit of loyalty displayed by the majority of the officers and privates; but the example was productive of the most disastrous consequences. It spread doubt and distrust through the army, no man daring to rely on the fidelity of his companion: it shook the loyalty of the wavering, and it weakened or dissolved the only tie which had hitherto restrained many, the disgrace of being the

[1] This transaction is related with some trifling variations by Major Norton in Macpherson's Papers (i. 289, 296), by James himself in his Memoirs (ii. 215), and by Barillon in his despatches of Nov. 25, 26, and Dec. 1. "O God!" exclaims Clarendon in his Diary, "that my son should be a rebel! The Lord in his mercy "look upon me, and enable me to support myself under this most "grievous calamity." He waited on James the next day. "God "knows," he says, "I was in confusion enough. The king was "very gracious to me, and said he pitied me with all his heart, and "that he would still be kind to my family." Many, however, did not think of him as favourably as James. "Myl. Clarendon, son "pére, parle de lui comme d'un traitre et d'un infame: mais peu "de gens croyent qu'il ait osé faire de son chef ce qu'il a fait, sans "la participation de son pére."—Barillon, 26 Dec.

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first to desert the royal colours. The report soon reached every corner of the kingdom: it was said that three regiments, then that several entire corps, had gone over to the enemy, and that the whole army was actuated by the same spirit of disaffection: the friends of the prince, relieved from their terrors, began to exert themselves in his favour; and the earl of Danby, with the Lord Lumley, called together their associates and dependants in Yorkshire, the lords Delamere and Brandon imitated him in Cheshire, and the earl of Devonshire raised the standard of insurrection in the midland counties.

On the other hand the king's advisers, in despair of success, conjured him to seek an accommodation with his nephew, and to prevent at any price the total subversion of his throne. But James refused to see what was evident to all besides himself: he still believed in the loyalty of the army, and was confirmed in this confidence by the number of those who had returned to their colours out of the three regiments.[1] In a military council at Whitehall he informed the members that he had taken measures for the calling of a parliament as early as was possible, with the intention of making every concession that might be demanded; that he could not believe there were many Cornburys among such honourable men; but that, if any one felt an objection to his service, he would spare him the infamy of so foul a desertion, and give him full liberty at that moment to leave the army and to go wherever he pleased. They replied with protestations of the warmest attachment, and declarations of their readiness to shed their blood in his cause. It was observed that the duke of Grafton and the Lord Churchill were

Nov. 26.

[1] Barillon, 25 Nov.

the first to answer in this manner; and yet there cannot be a doubt that, with such expressions of loyalty on their lips, they at the very moment meditated treachery in their hearts.[1]

The next day, a few minutes before the king's departure, the archbishops of Canterbury and York,[2] with the bishops of Rochester and Ely, solicited an audience, and delivered to him a written address, subscribed by themselves, the dukes of Grafton and Ormond, the earls of Dorset, Clare, Rochester, Clarendon, Anglesey, and Burlington, Viscount Newport, the bishops of St. Asaph, Ely, Rochester, Oxford, and Peterborough, and the lords Paget, Chandos, and Ossulston. It humbly but earnestly requested the king to summon a free and legal parliament without delay, as the only expedient which, in their opinion, could preserve the nation from the calamities with which it was threatened. James replied with strong emotion, "What you ask is what I passionately desire. I pro- "mise on the word of a king to call a legal parliament, "the moment the prince of Orange shall depart. "But how can you have a free parliament, now that a "foreign prince, at the head of a foreign force, has it "in his power to return one hundred members?"[3] Nov. 17.

[1] James (Memoirs), ii. 219. Orleans, 311. If we may believe Hewit, one of the supposed conspirators, to be afterwards mentioned, Grafton and Churchill met their associates that very night to consult on the manner of betraying the king into the hands of the prince.

[2] Dr. Lamplugh, whom James, for his loyalty, had just translated from Exeter to York.

[3] First Coll. of Papers, p. 11, 12. Ellis Cor. ii. 301. Barillon, 27 Nov. This petition originated with the bishops. The duke of Norfolk, the marquess of Halifax, and the earls of Oxford and Nottingham, and others, refused to sanction it with their signatures; some through fear of displeasing the king, most through fear of displeasing the prince. Halifax and Nottingham gave as a reason, that they would never put their names to a paper signed by the earl of Rochester, because he had accepted a place in the ecclesiastical commission.—Clarendon, Diary, 201—202, 210.

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James proceeded to the army, reviewed that portion of it which lay at Salisbury, and appointed the next day for the inspection of the division at Warminster under General Kirk. But he was prevented from executing this design by a profuse bleeding at the nose, which recurred at intervals on that and the following days, and procured him relief from some very alarming symptoms, the consequences of intense application and mental distress. During this short indisposition the count de Roye repeated his arguments against the advance of the army. The enemy were already at Wincanton; the royal artillery had not arrived; the positions of Salisbury and Warminster were untenable; and it was better to withdraw of his own free choice, than to incur the disgrace of a forced, and perhaps a disastrous, retreat. James still listened to him with reluctance; but his consent was extorted by information that, had he pursued his previous intention of inspecting the corps at Warminster, he would that day have been seized on the road, and conveyed a prisoner to the enemy's quarters. The persons charged with this conspiracy were of high rank in the army, the Lord Churchill, Major-General Kirk, Colonel Trelawney, and some others. James deemed it imprudent to take them into custody, or even to betray his knowledge of the plot. He summoned them to a military council, in which he proposed the question of a retreat beyond the Thames. It was supported by Feversham, Dunbarton, and Roye, but warmly opposed by Churchill who strongly urged the king to resume his design of visiting the post at Warminster. But James adhered to the resolution which he had previously taken, the council broke up at midnight, and immediately the duke of Grafton and Churchill went over to the enemy

Nov. 19.

Nov. 20.

Nov. 22.

Nov. 23.

They were followed in the morning by the colonels Trelawney, Churchill, Barclay, and about twenty privates. Kirk was arrested on suspicion by Lord Feversham: but he declared that though he had been unfortunate in the selection of his friends, he was incapable of imitating their baseness; and the king, who perhaps believed his assertion, ordered him to be set at liberty. The deserters were graciously received by the prince, with the exception, perhaps, of Churchill, of whom Schomberg is said to have made the severe remark, that he was the first man of the rank of lieutenant-general, who had been known to run away from his colours.[1]

[1] James (Mem.), ii. 222, 223, 224, 225. Baril. 1, 4, 6, 9 Dec. Burnet, iii. 316. Autobiography of Sir J. Bramston, p. 336. That James believed in the existence of the plot to carry him off, is twice asserted by Barillon, but we have no knowledge on what authority that belief was founded. Macpherson has published from Carte's papers several accounts tending to prove that on the 16th of November, after the council of war, a meeting was held at the lodgings of Mr. Hatton Compton, in St. Alban's-street, in which it was determined not only to seize the king, but to put him to death if any attempt were made to rescue him. For this purpose Wood and Hewit (afterwards Lord Hewit, the supposed relator) were to discharge their pistols into the carriage, and Churchill, who would attend as lord-in-waiting, was to complete the business.—Macpher. i. 280, 284. It must be owned that these papers bear not sufficient proof of authenticity to establish so grave an accusation. But with respect to Churchill's previous engagements to the prince of Orange, there is a letter from him to William, of the date of May 17, 1687, to satisfy him that "the princess of Denmark is safe in "the trusting of him (Churchill)."—Dalrymple, 191. And another of Aug. 4, 1688, in which he "puts his honour into the hands of his "royal highness" (239). Bonrepaus, on June 4, 1687, says that Anne "aime avec une passion demesurée madame Churchill," and that the king is persuaded that the prince of Orange "avoit gagné "madame Churchill pour persuader à cette princesse d'aller en "Hollande." On the 21st of July, he adds, "Myl. Churchill, aimé et "comblé de bienfaits du roi son maitre, se ménage plus qu'aucun "pour le P. d'Orange." That he promised to desert to the prince soon after the landing of the latter appears from Norton's narrative (ibid. 293) and the letter of the Princess Anne to William, of Nov. 18 (Dalrymple, 333). On the 21st Barillon writes to his

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The king, having ordered the infantry to repass the Thames, and guard the bridges over the river, and having posted the cavalry under Lord Feversham at Reading, to consume the forage in the neighbourhood, commenced his journey towards London. He stopped the first evening at Andover, and invited his son-in-law, Prince George of Denmark, to sup with him. Six days before this the Princess Anne had pledged her word to William for the defection of her husband: but George indulged in habits of indolence, and lost the opportunity offered him at the departure of his Mentor, Lord Churchill. He had, however, friends more active than himself: horses were already in waiting for him, when he left the royal table; he mounted with the duke of Ormond, the Lord Drumlanrig, and Mr. Boyle; and all four rode about midnight towards the nearest quarters of the enemy. The king received the news with an air of indifference. "What," said he, "is "*est-il possible* gone? Were he not my son-in-law, a "single trooper would have been a greater loss." His defection, however, awakened uneasy thoughts in the royal breast: was the princess acquainted with the design, or could she intend to follow the example of her husband? James, indeed, hoped much from her filial piety, much from her gratitude,—for he had always been to her a most indulgent parent, and had never molested her, nor addressed a single word to her on the subject of religion,—yet, aware of the influence which the Churchills exercised over her mind, he

Nov. 24.

sovereign that some of the superior officers, particularly Churchill, Grafton, Kirk, and Fenwick, appear discontented, and make use of discouraging language. He adds, "s'ils ne sont pas capables d'une "*trahison* on voit bien qu'ils ne combatteront pas de bon cœur, et "toute l'armée le sait. Cela met les affaires du roi d'A. dans un "grand peril."

despatched an order to Lord Middleton to watch her motions, and to prevent her from quitting Whitehall; an order which the secretary, through forgetfulness or incredulity, made no haste to enforce.[1] CHAP. IV. A.D. 1688.

Anne, the moment she heard of the evasion of her husband, sent for the bishop of London, to arrange with him a plan for her own escape. After the family had retired to rest she left her bedchamber with Lady Churchill and Mrs. Berkeley, descended a back-staircase, which had recently been put up for that very purpose, and found waiting at the gate a carriage, in which were the bishop and the earl of Dorset. She passed the night at the prelate's house in Aldersgate-street, hastened in the morning to Copt Hall, the seat of the earl, and proceeded thence to a meeting of the prince's adherents at Northampton. Behind her she had left a letter for the queen, composed in the same style of duplicity which characterized those to the king from Prince George and Lord Churchill. It stated that in her surprise at the departure of her husband, she had thought it best to express in writing her dutiful feelings towards their majesties. Unable to face Nov. 26.

[1] James (Memoirs), ii. 224. Barillon, 5, 9 Dec. Clar. Corresp. ii. 208. Prince George was called "est il possible," from his constant habit of using those words. "Le Prince George," says Bonrepaus, "ne se mêle de rien. Il n'est non plus fait mention de lui, "que s'il n'était point au monde."—Bonrep. 4 Juin, 1687. Both the prince and Churchill wrote to the king apologies for their desertion. The prince protests, "Nothing but the cause of religion "is able to tear me from you, whilst the same affectionate desire to "serve you continues in me. Could I secure your person at the "hazard of my life, I should think it could not be better employed." Churchill says that "Though his religion will not allow him to join "the royal advisers, yet he will always, with the hazard of his life "and fortune, so much his majesty's due, endeavour to preserve "his royal person and lawful rights, with tender concern and "dutiful respect."—Kennet, 498. Their hypocrisy was equal to their ingratitude.

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her father, as long as the prince should be under the royal displeasure, she had withdrawn, till a reconciliation might be effected; and, as her husband had gone solely to provide for the king's preservation, so she would follow him for that purpose only. She was in fact the most unhappy of women, divided between duty and affection to a father on the one hand, and duty and affection to a husband on the other.[1] And yet, as the reader knows, the very desertion of that husband had been planned and instigated by this dutiful and veracious daughter! At Whitehall her disappearance was not noticed, probably was not meant to be noticed, till the morning, when her domestics hastened to the queen's apartment, and clamorously demanded their mistress, while a crowd assembled in the street, vociferating that she had been murdered or carried away by the papists. In a short time the fact of her escape was known, and the tumult subsided. Soon afterwards the king arrived. On the receipt of the intelligence he burst into tears, and exclaimed, "God help me! "my very children have forsaken me!"[2] The shock quite unnerved him; and one who, from her situation near the royal person, had the opportunity of watching his deportment, thought that she discovered in him, during two or three of the following days, occasional aberrations of intellect.[3]

In the opinion of every man the royal cause was now hopeless. Dartmouth had written that he would answer for his own loyalty, but not for that of the fleet under his command; the Scottish guards, the corps on

[1] Kennet, 499.

[2] Clarendon's Diary, 207, 214, 216. Barillon, 6, 9 Dec. Lord Dorchester, in notes to Burnet, ii. 318. Duchess of Marlborough's Apology, 10. James (Memoirs), ii. 226.

[3] Reresby, 311.

whose fidelity the king placed the firmest reliance, had expressed a reluctance to draw their swords against his opponents; Newcastle, York, Hull, Bristol, and Plymouth had been seized by the partisans of the prince, and numerous meetings had been held in York, Derby, and Nottingham, where resolutions had been carried in favour of a free parliament, and the support of the Protestant religion. But the language of these resolutions was more alarming to the king than their purport. "We own," said the declaration from Nottingham, "that it is rebellion to resist our king that "governs by law; but *he* was always accounted a tyrant "that made *his* will the law. To resist such a one, "we justly esteem it no rebellion, but a necessary "defence." In this extremity he consulted his confidential advisers. One resolution he had taken, to provide in the first place for the safety of the queen and his son: for he had persuaded himself, from the past conduct of his opponents, and from more recent advices, that they deemed it of the first importance to take the life of the young prince.[1] The next question was, should *he* also withdraw, or keep his post to the last. The earl of Melfort and several other Catholics advised him to flee: were he out of the kingdom, his person would be safe; he would still retain all his rights; and the opportunity of recovering the crown would not be wanting to him, any more than it had to his predecessors in similar circumstances. But the

[1] "'Tis my son they aim at, and 'tis my son I must endeavour to "preserve."—Dalrym. 326. Petre had advised this from the first landing of William, because the sending of the young prince to France "feroit penser aux Anglais le plus sensés qu'ils s'engagent "dans une guerre, qui peut durer pendant plusieurs générations, "quand même le véritable héritier, et celui qui a le droit, seroit "depossedé."—Barillon, 25 Nov. Lord Melfort also claimed the merit of having given this advice.—Macpherson Papers, ii. 674.

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Lord Belasyse, with the two secretaries, and the lords Halifax and Godolphin, earnestly advised him to remain. He had only to assent to the securities which would be demanded for the laws and religion of the country, and his person would be safe. His subjects, many of whom began to suspect the ambitious designs of the prince, would rally around the throne, and defend the monarch from violence. James himself, though he saw no prospect of success, felt ashamed to quit the crown without once drawing the sword; and sometimes amused his desponding mind with dreams of victories to be gained in Scotland with the aid of the duke of Hamilton, or in Ireland at the head of the army formed by the earl of Tyrconnel.[1]

It was, however, necessary that he should put on a cheerful countenance, were it only to gain time for the escape of the infant prince. In conformity with the suggestion of certain lords, he summoned a great council of peers, forty in number, and all Protestants,

Nov. 27.

to assemble at Whitehall. They spoke to him with freedom; but it was observed that Clarendon transgressed the bounds of decency, and employed language so unfeeling and insulting, "that no one wondered at "his going a day or two after to meet the prince of "Orange at Salisbury."[2] The sum of their advice, though they were far from being unanimous, was that, besides calling a parliament, the king should grant a pardon without any exceptions, should appoint commissioners to treat of an accommodation, and should

[1] Barillon, 11, 13 Dec.

[2] James (Memoirs), ii. 239. Among other things, Clarendon reproached him with the levy of a regiment of guards at that moment, to consist entirely of Catholics. James declared that it was false: that no such direction had ever been given. Clarendon said that he had been told so; and continued in the same style.—His Diary 210.

immediately dismiss every Catholic from his service. James assured them that he was not offended with any man on account of his freedom; that he certainly meant to call a parliament, but that some of their suggestions were of such importance, that no one could wonder if he took a single night to deliberate. He was convinced that, though many had deserted him, many still remained to stand by him. Accident (he meant his indisposition at Salisbury) had providentially saved him from the treachery of Churchill; and, as he had read the history of Richard II., he would take sufficient care not to fall into the hands of a nephew who sought to place the crown on his own head.[1]

In a few days a proclamation appeared, stating that the king, on November 28th, had ordered writs to be issued for the meeting of a parliament at the shortest date, the 15th of January; a pardon for all previous offences to be passed under the great seal; and commissioners to proceed immediately to the headquarters of the prince of Orange; but that, with respect to the dismissal of Catholics from office, he would leave that question to the wisdom and decision of parliament. The fact was, that he felt unwilling to deprive himself of their services before he had secured the retreat of his wife and son; but, to satisfy the citizens, he had already removed Sir Edward Hales from the command of the Tower, and substituted for him Skelton, who had so lately been committed a prisoner to that fortress.[2]

Nov. 30.

Nov. 26.

The king's chief solicitude at this moment was to

[1] Clarendon's Diary, 209, 211. Barillon, 9 Dec. James (Memoirs), ii. 238. Burnet, iii. 322.

[2] James (Memoirs), ii. 237. Barillon, 9 Dec. Clarendon, Diary, 208.

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prevent his child from falling into the hands of men whose interest it was that the son should not live to oust the son-in-law from the succession. With this view he had appointed Lord Dover to the government of Portsmouth; who was followed to that fortress by Lord and Lady Powis, bringing with them the infant and his nurse. Dover had a yacht ready to take them on board, and Lord Dartmouth, who commanded the fleet at Spithead, received instructions to watch over the safety of the royal babe, and to provide for his escape. But his very presence at Portsmouth betrayed the king's secret; and a body of "associated" officers represented to the admiral the charge to which he would expose himself, and the evil which might befall the nation, if he should suffer the heir apparent to quit the kingdom. By this time, at least, Dartmouth partook of that spirit of consternation which pervaded all ranks of the royalists, and he returned an answer to the king, conjuring him to recede from his intention, and excusing, in humble and affectionate language, his own disobedience. The unfortunate monarch had little time for deliberation; the delay of a few hours might place his son in the power of his enemies: and he sent orders for three regiments, under the earl of Salisbury, to escort him in his return to the capital, while Caryll, the queen's secretary, made arrangements with the count de Lauzun for his escape by the river.[1]

Dec. 3.

In the meantime much had occurred to persuade the king that there remained no other chance of safety for himself, but the same which he had chosen for his son. In accordance with the advice of the

[1] Dalrymple, 326, 330. James (Memoirs), ii. 233, 237. Barillon, 11, 13, 15, 16, 18 Dec.

great council, he had sent three commissioners to the prince, the lords Halifax, Nottingham, and Godolphin: but William, under different pretexts, evaded the audience which they solicited, and at the same time urged forward the march of his army towards the capital. This was sufficiently discouraging: but in addition there appeared in London many copies of a proclamation lately issued under the signature of the prince, declaring all papists bearing arms, or having arms in their houses, or executing any office contrary to law, robbers, freebooters, banditti, and incapable of receiving quarter; calling on all magistrates, under the penalty of answering for the Protestant blood that might be spilt, and the Protestant property that might be destroyed through their negligence or apathy, to disarm all papists, and to execute these orders with rigour; because London and Westminster were threatened with conflagration, and their inhabitants with massacre from the crowds of armed papists, who had collected there to execute the design formed by the French king and his neighbour of the same communion, to extirpate Protestantism out of Europe. This instrument was afterwards disowned by William, and some years later Speke, the libeller, came forward to claim the merit or infamy of the imposture: but at the time of publication no one doubted its authenticity; and the spirit of vengeance which it breathed, with the tone of authority which it assumed, strongly served to confirm the jealousies and apprehensions that agitated the mind of the king. He drew from it the inference that it was intended to deprive him of every individual in whom he could repose any confidence, to place him gagged and bound in the hands of his enemies; and, of the fate he might expect in such

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circumstances, he had before his eyes a pregnant instance in the eventful history of his father.[1]

The queen had hitherto refused to separate her lot from that of her husband; but now that he had made up his mind to leave the kingdom, and that he solemnly promised to follow her within twenty-four hours, she consented to accompany her child. The time for their escape was fixed at two after midnight.

Dec. 10. Disguised as an Italian lady, with a female Italian servant, and the nurse carrying the infant, she stole silently down the privy stairs to the water-side, and, though the night was dark and stormy, stepped intrepidly into a small open boat, crossed the river, and landed on the opposite bank at Lambeth. But the carriage which had been ordered was not there; the rain fell in torrents; and the royal fugitive was compelled to wait under the shelter of a high wall, exposed to the danger of discovery from the cry of the child, and the accidental curiosity of the inhabitants. At length the carriage arrived: they drove to Gravesend, where a yacht, with Lord and Lady Powis, and three Irish officers on board, was ready to receive them; and thence pursued their course in safety to Calais. St. Victor, a French gentleman, saw the exiles depart, and hastened back with the consoling information to the monarch.[2]

James had passed the early part of the morning in considerable agitation; the return of St. Victor enabled him to assume a more cheerful air; he ordered the guards to be in readiness to accompany him to Uxbridge the next day, and talked of offering battle to the enemy

[1] See the proclamation in Echard, 1127; also Barillon, 16 Dec. James (Memoirs), ii. 249; and Burnet, iii. 321.

[2] James, ii. 246. Barillon, 20 Dec. Orleans, 315. Note (E)

though at the same time he confessed to Barillon that he had not a single corps on whose fidelity he could rely. Up to this moment he remained in ignorance of the progress of the negotiation; in the evening a messenger from his commissioners brought him an account of their proceedings since the last Monday, on which they had procured passports in Reading. Had it been allowed, they might have found access to the prince in a few hours, but every possible obstacle was thrown in their way, while his army steadily pursued its march from Wincanton towards the metropolis. On Thursday it took possession of Newbury: William fixed his headquarters in Hungerford, and informed the commissioners, who were at Ramsbury, that he would receive them on the Saturday. They found him in the midst of a crowd of his adherents summoned for the occasion, put into his hand their credentials from the king, and were desired to withdraw to a neighbouring apartment. He then read these credentials to his followers, but evidently under strong emotion, wondering, as he said, why the king wrote to him in the French language, and not in the English, as he had always hitherto done. "When he wrote to your highness in English," said the earl of Clarendon, "it was to you as a "member of his own family: now you are a foreign "general, at the head of a foreign army in the midst "of his dominions. He therefore writes to you in "diplomatic language."

Dec. 3. Dec. 6. Dec. 8.

The reader will probably start at the name of Clarendon. Yet so it was: the very man, who but a month before so feelingly lamented the defection of his son, was now found at the headquarters, and acting as the confidential agent, of the prince. In fact, he had imprudently persuaded himself that these con-

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ferences would lead to the formation of a new ministry, in which, if he were not wanting to his own interest, he might hold a distinguished place. With this view

Dec. 1.

he hastened from London to pay his worship to the rising sun: but a few days convinced him of his mistake. He saw that William's ambition would be satisfied with nothing short of the crown: and, from the manner in which he was treated now, had reason to conclude that he would be treated with greater contempt afterwards, when that prince should be seated on the throne.[1]

The Marshal Schomberg and the earls of Oxford and Clarendon were directed by the prince to meet the royal commissioners, and to require from them a statement of their proposals in writing. They replied that since the king had already convoked a parliament, nothing remained for deliberation but the measures which might be thought necessary to insure the free election of the members, and their subsequent security at Westminster, for which purpose it was proposed that both armies should be restrained from coming within a certain distance of the capital. This answer the prince left with the meeting, desiring them to take it into deliberation, and to send to him their opinion at Littlecote, a manorial mansion not far from Hungerford. The chief subject of discussion was the king's convocation of a parliament. The most violent demanded that the writs should be cancelled.[2] They were of no value: had been issued by incompetent authority: by one who was no longer king. This

[1] Clarendon's Diary, 212—223.

[2] The majority feared that, if the writs were not revoked, the elections would take place while they remained with the army, and that other persons would be returned as representatives in their absence.—Clar. Diary, 221, 223.

vote was carried by the majority; but it accorded not with the plans of the prince, who wished to be raised to the throne by a parliament legally convoked. He ordered the meeting to reconsider the question on the next morning. They came to the same conclusion: Dec. 9. William insisted that the vote should be expunged: they demurred: the point was argued in his presence: he refused to yield, and taking his pen struck out the obnoxious resolution. After this the other demands to be made on his part were speedily settled: that each army should remain at the distance of forty miles Dec. 9. from the capital; that all papists should be dismissed from office; that all proclamations reflecting on the prince or his followers should be recalled; that the invading army should be supported at the public expense; that the king and the prince should reside in London, or at an equal distance from London, with the same number of guards; and that the Tower and the fort at Tilbury should be placed in the custody of the city, and Portsmouth in that of such person as should be agreeable to both parties. To adjust these particulars William offered not to advance within forty miles of the capital during the four following days, an offer which, while it bore the appearance of moderation, was equally convenient for himself.[1]

Though these conditions were more favourable than the king expected, they did not induce him to alter his resolution. The remark of the commissioners, Dec. 10. that "there appeared a possibility of putting matters "into a way of accommodation," was not calculated to excite any very sanguine hopes; and their private letters were still more discouraging than their official despatches. He was ignorant then of what was known

[1] James, ii. 240. Fourth Collec. 25.

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later,—that both Halifax and Godolphin were already candidates for the favour of the invader, and desirous of rendering him an acceptable service by inducing the king to quit the kingdom. Under this ignorance he drew from their letters the conclusion, that it was the object of his nephew to effect his deposition by a legal parliament of his own calling, unless he were previously removed by a conspiracy against his life. Before he retired to rest he delivered to the count de Roye a letter for Lord Feversham, announcing his intention of providing for his own safety by withdrawing from the kingdom, thanking him and the officers and privates for their past loyalty, and remarking that he no longer desired them to expose themselves to danger by "resistance to a foreign army and a "poisoned nation."[1] Then, having received from the lord chancellor all the parliamentary writs which had not hitherto been issued, he threw them with his own hands into the fire, that his enemies might not be able to appeal against him to a parliament convoked by himself.[2] Soon after midnight he rose, disguised himself in the dress of a country gentleman, and ordered the duke of Northumberland, who slept on the pallet-bed, to keep the door locked till the usual hour in the morning. Descending the back-stairs, he was joined by Sir Edward Hales, whom he afterwards created earl of Tenterden: a hackney-coach conveyed them to the horse-ferry; and, as they crossed the river with a pair of oars, the king threw the great seal into the water.

Dec. 11.

[1] James, ii. 249. Fourth Coll. of Papers, 27. Lord Godolphin wrote to advise him to withdraw.—Lord Dartmouth's note to Burnet, iii. 327. Lord Halifax is also said to have written that the party of the prince had "an ill design" against the king's person.—Reresby, 311. See also D'Orleans, 314.

[2] James (Memoirs), ii. 251. The writs had been issued for fifteen counties only.—Barillon, 27 Dec.

At Vauxhall they found horses in readiness, and with the aid of a relay provided by Sheldon, one of the royal equerries, reached Emley ferry, near Feversham, by ten. The custom-house hoy had been engaged to convey some strangers to France, but the ship wanting ballast, they were forced to run her on shore near Sheerness; where, about eleven at night, they were boarded from three boats, cruising in the mouth of the river to intercept the fugitive royalists. The hoy floating with the tide, was taken back to Feversham; and the king having remained for several hours in the hands of his captors, was compelled to land and proceed to the principal inn. There he saw that, notwithstanding Dec. 12. his disguise, he was recognised by several persons in the crowd, of whom one, bursting into tears, knelt to kiss his hand; and, as the secret had now transpired, he acknowledged himself, sent for Lord Winchelsea, whom he appointed lord lieutenant of the county, and was at his own request transferred from the inn to the house of the mayor, where he remained under a strong guard of the seamen and militia.[1]

[1] James, ibid. 251, 254. App. vi. Barillon, 24 Dec. Burnet, iii. 326. It has often been said that James was induced to escape to France by the advice of Barillon. The despatches of that envoy show, on the contrary, that James did not consult him, nor give him any opportunity of interfering with his opinion. Barillon, however, conceiving that it might prove injurious to the interest of France if James were to quit his dominions, solicited from Louis an order to advise him to remain. But the monarch was more generous than his minister. He refused:—"Plus je desire de "l'aider à sortir de l'embarras où il est, et de lui témoigner dans "une conjoncture si périlleuse la sincerité de mon amitié pour sa "personne, et de mon empressement pour tout ce qui le regarde, "plus je vois qu'il faut laisser à sa prudence et à la connoissance "qu'il a de la disposition de son royaume, à prendre les resolutions "qu'il croira lui être les plus convenables. . . . Vous pouvez l'as- "surer que s'il envoie la reine et le prince de Galles dans mes états, "ils y seront reçus avec toute la consideration que demande leur "rang, et qu'il peut toujours faire un fondement certain sur mon "amitié."—Louis XIV. à Barillon, 20 Dec.

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Lord Feversham had given little proof of ability as a general: but he showed, amidst the general defection, that he possessed the feelings of an honourable mind. Instead of seeking to secure the favour of the prince, by soliciting orders from him, he caused the king's letter to be read to the different regiments, and announced to them the expiration of his command. Many of the officers and men received the intelligence with tears, and conceiving themselves at liberty, withdrew to their respective homes. The greater portion remained in their cantonments, awaiting with anxiety the issue of events.[1]

In London the news of the king's flight created surprise and consternation. About thirty spiritual and temporal peers joined the lord mayor and aldermen at the Guildhall, and, after some consultation, forming themselves into a separate council, assumed for a time the supreme authority. They published and sent to the prince a declaration of their adhesion to him in his endeavour to procure a free parliament, in which the liberties of the people, and in particular of the church of England, might be secured, and at the same time due indulgence be granted to Protestant dissenters; a declaration which, though equivalent to a renunciation of the authority of James, did not come up to William's expectations, and was, therefore, received by him with evident marks of dissatisfaction; while a most gracious reception was given to the deputies from the common council and the city, who begged of him to hasten his march to the capital for the completion of the great work which he had so gloriously begun; for, as hitherto, they had looked up in vain to the king for redress, "now they presumed

Dec. 11.

[1] James, ii. 249, 251. Barillon, 22 Dec.

"to make his highness their refuge."[1] In addition, the Lords, to calm the fears of the citizens, took advantage of the absence of Skelton from the Tower, to transfer the government of that fortress to the care of Lord Lucas, whose company formed part of the garrison, and they issued circular orders to the naval and military officers to watch over the preservation of discipline in the fleet and army. But the great difficulty was to maintain tranquillity in London and Westminster, where their ephemeral authority, though respected by the higher classes, was set at nought by the passions of the people, authorized, as they supposed themselves to be, by the recently forged proclamation of the prince.

Large bodies of men had collected in the streets, and, under pretence of searching for arms, burst into the houses of the Catholics, whence, if they did not proceed to the demolition of the buildings, they carried off everything that was valuable. The office of Hills, the king's printer, was laid in ruins, and its contents given to the flames; the several Catholic chapels in Lincoln's-inn-fields, Lyme-street, St. John's, and Clerkenwell, were either demolished or burnt; and the ambassadors of the Catholic powers were insulted or threatened. Ronquillo, the ambassador from Spain, trusted to his popularity (for his constant support of the prince had made him a public favourite): but the plate of the royal chapel and of several Catholic families, which had been committed to his custody, offered too powerful a temptation; his doors were forced, his house and chapel were rifled, and whatever the rioters could not carry away was burnt,

Dec. 12.

[1] Clarendon, Diary, 224. Barillon, 22 Dec. Fourth Coll. 23, 30.

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together with his library and manuscripts. Of the other ambassadors, the Florentine experienced the same treatment; but those from France and Venice applied to the council, and obtained for their protection strong detachments of military, who repelled with difficulty the repeated assaults of the populace.[1]

Dec. 13. On the second night the citizens were awakened from their sleep by a sudden cry of "The Irish are "up and cutting throats!" And the same terrifying denunciation was simultaneously echoed from every part of the metropolis. Lights were instantly placed in the windows; men rushed in arms from their houses, and assembled in crowds to meet their imaginary foes; and, though the murderers could nowhere be discovered, still the report maintained its credit, and the terrors of the citizens were protracted, till the return of daylight gradually dispelled the delusion. At the same time a similar alarm was excited in most of the neighbouring towns, but it failed of provoking what, if it were not accidental, its authors probably meant to provoke,—a massacre of the Catholics. Speke took to himself the merit also of this dangerous contrivance.[2]

[1] James (Memoirs), ii. 256. Echard, 1130. Barillon, 22, 24 Dec. Ellis Cor. ii. 347, 350. Buckingham, ii. xv. The plate and jewels carried away by the mob from the Spanish ambassador's were valued at an immense sum.—Reres. 323. Ronquillo received as a compensation seventeen thousand pounds. The king, on account of some riotous assemblages, had ordered all the Catholic chapels to be shut up as early as November 9.—Barillon, 19 November.

[2] James, ii. 258. Ellis Corresp. ii. 356. Barillon, 23 Dec. Echard, 1131. Perhaps he might claim also that of a similar fraud in Ireland. On the 7th of December, Lord Mount-Alexander received an anonymous letter, stating that the 9th was fixed for the general massacre of the Protestants. From his seat in the county of Down he despatched copies of this letter into all quarters of the island. Wherever it arrived, the utmost consternation prevailed. Congregations rushed out of the churches during the service to pro-

The mob repeatedly called for the blood of Father Petre. But he had disappointed their vengeance by retiring beyond the sea about ten days before; and his example had been imitated by Lord Melfort, the Scottish secretary. As soon as the flight of James became known, numbers, apprehensive of the consequences, attempted to follow him; and the roads towards the sea-coast were covered with fugitives endeavouring to escape, and with persons on the watch to arrest every stranger proceeding in that direction. Even during the short stay of the royal captive at Feversham, Mr. Justice Jenner, Burton, and Graham, the king's solicitors, Giffard and Leyburn, two of the vicars-apostolic, Obadiah Walker, and several others, were brought prisoners into the town. The nuncio had placed himself as a servant behind the carriage of the envoy from Savoy; but that minister with his suite was intercepted and detained, till William, who sought not to offend his Catholic allies, furnished him with a passport. The lord chancellor Jeffreys was discovered at Wapping in a strange disguise. A party of the trained bands rescued him from the fury of the mob; but they still pursued him with whips and halters, and, as the lord mayor was too much alarmed to take his examination, he was at his own desire conducted under an escort of two regiments to the Tower. The lords in council soon afterwards sent a warrant for his detention, and in the course of a few months he died of the stone, without having been discharged from confinement.[1] Penn

vide for their safety; multitudes migrated from the interior to the sea-coast, to procure a passage to England, and on the night of the 9th, three thousand individuals in Dublin fled from their beds, and took refuge on board the ships in the harbour.—See Secret Consults, 137, 140.

[1] Buckingham, ii. p. xi. James, ii. 254. Ralph, 1063. Ellis

CHAP. IV. A.D. 1688. being brought before the Lords, gave security for his appearance in six thousand pounds,[1] and the earls of Peterborough and Salisbury, both converts to the Church of Rome, were committed to the Tower.

On the third morning a rumour was heard of the king's arrestation in his flight. It obtained no credit; but a countryman, standing at the door of the council-chamber at Whitehall, put into the hands of Lord Dec. 14. Mulgrave a letter from James, which bore no address, but stated that the writer was a prisoner in the hands of the rabble at Feversham. Most of the lords, afraid of offending the prince, would gladly have passed it by without notice, and for that purpose Halifax, the chairman, suddenly adjourned the meeting; but Mulgrave conjured them to resume their seats, and extorted from them by his remonstrances an order that the earl of Feversham should take two hundred of the life-guards, and protect the king's person from insult. Feversham solicited an explanation of this order, but was merely told that it gave him no authority to interfere with the liberty or the motions of the sovereign. Halifax, to mark his dissatisfaction, or to make his court, immediately left London, and repaired to the headquarters of the prince, who was then at Henley.[2]

Corresp. ii. 354. Echard, 1136. Oldmixon, 762. I do not notice the different stories respecting the capture and death of Jeffreys. They are so contradictory that no reliance can be placed on them.

[1] Ellis Corresp. ii. 356. Barillon, 24, 25, 27 Dec.

[2] Halifax was chosen chairman in the absence of the archbishop of Canterbury, "because after the latter had signed the address to "the prince, he never would appear in public affairs, or pay the "least sort of respect to the prince of Orange, even after he was "elected king of England; and yet, on the other side, had been as "morose to King James before, in never acknowledging his son, or "showing him the least civility."—Buckingham, ii. pp. xiv. xvi. xviii.

The king, on the arrival of Feversham, determined to return to the capital. To account for this resolution, so contrary to that which he had adopted four days before, it should be known that, during his confinement, Lord Winchelsea had strongly advised him to lay aside the design of quitting the kingdom: his friends from London had excited his hopes by representing to him that a sentiment of pity for his misfortunes had rekindled the flame of loyalty in the breasts of numbers; and Godolphin, though he dared not advise him to return, had blamed his flight, under the notion that the conditions, if they had been approved by the king, would probably have been executed by the prince.[1] James resolved to make the experiment. From Rochester he despatched Feversham to William at Windsor, with verbal instructions on several points, and with a written invitation to a personal conference in the capital, where the palace of St. James's would be ready for his reception. The messenger found the prince and his advisers perplexed and confounded. On the supposition that James had left the kingdom, *he* had already assumed the exercise of the sovereign authority, and had issued orders to the royal army, and the officers of government, in the style of a king or a conqueror; and *they*, in the confidence of success, had parcelled out among themselves the great offices of state, and the rewards to which they were entitled for their services. But Feversham, the moment he had delivered his despatch, was arrested by order of William, and confined in the Round Tower, under the frivolous pretext that he had come without a passport, and had disbanded the army without orders; but

Dec. 15.

[1] Barillon, 24 Dec. James, ii. 259, 261. Ralph, i. 1068. Clarendon, Diary, 226.

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probably to convince James, as it did in fact convince him, that he would no longer be treated as the sovereign. But, whatever was the motive of the prince, the arrest shook the confidence of many among his adherents. He had been sent for, they remarked, to protect their liberties; and one of the first uses which he made of his power was to imprision a peer of the realm, without assigning any cause or observing any legal process.[1]

Dec. 16.

From Feversham the fugitive monarch returned to Rochester, where he was joined by his guards; and from Rochester proceeded in royal guise through the city to Whitehall.[2] His progress resembled a triumphal procession. He was preceded by a body of gentlemen with their heads uncovered; an immense crowd received him with loud acclamations; the bells were rung, and the evening was ushered in with bonfires. It is not improbable that, during these demonstrations of loyalty, a few rays of hope may have illumined his troubled mind; but they were soon extinguished by the ominous arrival of Zuyleistein, and the news of the arrest of Lord Feversham. Zuyleistein was the bearer of a letter from William, requesting his uncle not to advance nearer to the capital

[1] Buckingham, i. p. xxii. "I asked Bentinck what could be the "meaning of committing Lord Feversham, to which he made me "answer, but with a shrug, 'Alas, my lord.' This proceeding "startles me."—Clarendon, Diary, 227. See also Barillon, 24 Dec.

[2] On the day before, the Princess Anne made a similar entry into Oxford to meet her husband. "The earl of Northampton with five "hundred horse led the van. Her royal highness was preceded by "the bishop of London at the head of a noble troop of gentlemen, "his lordship riding in a purple cloak, martial habit, pistols before "him, and his sword drawn; and his cornet had the inscription "in golden letters on his standard, 'Nolumus leges Angliæ mutari.' "The rear was brought up by some militia troops."—Ellis Correspondence, ii. 368.

than Rochester. But James, observing that the request had come too late, repeated his invitation to a personal interview; and to the remark of the messenger, that the prince could not venture his person in a city occupied by the royal troops, replied, "Then "let him come with his own guards to St. James's, "and I will dismiss mine; for I am as well without "any, as with those whom I dare not trust." This conference convinced the king of what he had so long suspected. The language of the letter and of the messenger showed, that William assumed the superiority of a conqueror, and no longer looked upon his uncle as the sovereign. Yet with these thoughts on his mind the unhappy monarch was sufficiently master of himself to hold a court, which was numerously though not brilliantly attended; to meet his ministers in council; and to sup in public as in the days of his prosperity.[1] Dec. 17. But the next morning he sent a message to Lewis and Stamps, two of the aldermen, that, to leave no doubt of his sincerity, he was willing, if the civic authorities would guarantee his personal safety, to place himself in their hands, till full security for the religion and liberties of the nation had been established by parliament. Had the offer been accepted, it would have thrown a most perplexing obstacle in the way of the prince; but it was declined, through the influence of Sir Robert Clayton, on the ground that the city ought not to enter into an engagement which it might not be in its power to fulfil.[2]

In the secret counsels of the prince a determination had been taken, to consider the reign of James at an end from the moment of his late escape from the

[1] James (Memoirs), ii. 261, 263. Barillon, 27 Dec.
[2] James, ii. 271. G. Britain's Just Complaint, 8.

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capital. Now, however, that he was returned to Whitehall, and had been joyfully received by his subjects, William deigned to consult his English adherants, not collectively, but individually and in private, on the delicate and important question, what course ought to be pursued with respect to the royal person. By several it was suggested, that James should be secured a prisoner in some fortress in England, or perhaps in Holland. In that case anxiety for the preservation of his life would deter his friends from any hostile attempts, and Ireland, which was now in the power of Tyrconnel, might be obtained as the price of his liberty. But the prince followed a different counsel. He deemed it more for his interest that James should withdraw from the kingdom, and that his escape should bear the appearance of his own voluntary act. For this purpose he sought to operate on the king's apprehensions; ordered four battalions of the Dutch guards and a squadron of horse under Count Solms to march into Westminster; and despatched from Sion House the lords Halifax, Shrewsbury, and Delamere, with a harsh and peremptory order to his uncle. Halifax was chosen for this office, as Clarendon had been on a recent occasion, to try the sincerity of his conversion.[1]

No answer had been returned to the king's message by Zuyleistein; but late in the evening Solms arrived, occupied the palace of St. James's, and advancing at the head of three battalions, with their matches lighted

[1] Burnet, iii. 334, 337. Clarendon, Diary, 229. Clarendon asked in the presence of William, why the king might not go to one of his own palaces, to which Lord Delamere answered that he did not look upon him as a king; that he ought not to be in one of the royal houses, as if he were a king, and that he should never more be obeyed by him (Delamere) as king.—Ibid.

and in order of battle, demanded possession of Whitehall. The spirit of Lord Craven, the commander of the English guards, was roused; he declared that, as long as breath remained in his body, no foreign force should make a king of England prisoner in his own palace. James hesitated; but a moment's reflection convinced him that resistance against such disparity of numbers could only lead to unnecessary bloodshed, and by dint of entreaty, and some exertion of authority, he prevailed on the old man (Craven was in his eightieth year) to withdraw the guards from their posts, which were immediately occupied by the Dutch.[1]

The king was now in a state of captivity. With a misboding mind he retired to rest a little before midnight, and after some time sunk into a profound sleep, from which he was suddenly awakened by the earl of Middleton. That nobleman, who lay in the antechamber, had been disturbed by a loud knocking at the outer door; where he found the three commissioners from the prince, demanding immediate entrance. They had come with Solms and the Dutch guard; but abstained from presenting themselves at first, probably that their unexpected appearance in the middle of the night might make a more alarming impression on the unfortunate monarch. James was surprised, but instantly recovering himself, received them in bed, and listened to Lord Halifax, who showed him their instructions, and told him that, for his own safety, and the preservation of tranquillity, it was deemed proper to remove him from Whitehall; that Ham, a house in Surrey, belonging to the dowager duchess of Lauderdale, had been selected for his residence; and that at Ham he might be attended by his own guards, but

Dec. 18

[1] James, ii. 264. Buckingham, ii. p. xxiii. Barillon, 30 Dec.

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must quit Whitehall by ten the next morning, because the prince intended to arrive in the capital about noon. From such an intrusion at such an hour it is probable that the king anticipated some more painful announcement. He appeared to receive the order for his removal with indifference, but objected to Ham as a cold, damp, and unfurnished house; and expressed a strong inclination to return to Rochester, where the prince had previously desired him to remain. About nine in the morning the commissioners came back from Sion House with the permission which he had asked; but, in arranging the manner of his departure, James experienced much opposition from the morosity of Lord Halifax, who as a recent convert, sought to display his devotion to the prince, while Lord Shrewsbury, of whose political creed there could be no doubt, behaved with deference to the unfortunate monarch, and laboured to soothe his affliction by gratifying him in every request. About twelve the king bade adieu to the lords and gentlemen and foreign ministers, who had assembled to give him this last proof of their respect, and who, for the most part, burst into tears. Hastening to the river, he went on board the royal barge attended by the lords Arran, Dumbarton, Lichfield, Aylesbury, and Dundee; several boats carrying one hundred of the Dutch guards took their respective stations around him, and, at the signal given, the royal captive proceeded down the river. To most of the spectators it proved a mournful and humiliating sight. They felt that powerful impression which is always made by the spectacle of majesty in distress; and they could not behold without shame the king of England conveyed from his capital a prisoner in the hands of foreigners.[1]

[1] James (Memoirs), ii. 265, 267. Buckingham, ii. p. xxii. Ken-

James slept at Gravesend, and spent four days at Rochester. There he received no communication from William, but was visited by many of his servants and adherents, who brought him accounts of all that passed in the metropolis. From them he learned that about three hours after his departure the prince arrived with six thousand men at St. James's, and was visited the same evening by most of the noblemen in London; that the next day he received the duke of Norfolk, who had raised for him a powerful force in the eastern counties, and the aldermen, who presented to him an address in the name of the city; that some lawyers had advised him to proclaim himself king, and summon a parliament, after the precedent of Henry VII.; but that this advice had been rejected, because it was impossible to reconcile it with the contents of his "declaration;" that he had, however, begun to exercise the sovereign authority, by ordering the deputies elected in the city on St. Thomas's day to act without taking the oaths, and had requested the lords spiritual and temporal to meet in council, and give him their advice; and that, in consequence of this request, about seventy peers had assembled in Westminster, and had chosen for their legal advisers, in place of the judges, five barristers strongly devoted to Dec. 19.

net, 503. Evelyn, Diary, iii. 262. Ellis Correspondence, ii. 372. It is a singular fact that the officer who commanded the Dutch guard, and one-half of the men, were Catholics. One of them, when the king asked how he, a Catholic, could aid a Protestant prince to dethrone a Catholic king on account of his religion, replied, "That his soul was God's, but his sword the prince of Orange's."—Burnet, iii. 338. See also James, ii. 273. The number of foreign Catholics in the army of the prince was, according to Reresby, four thousand. "Les Anglais qui le virent partir," says Barillon, 30 Dec., "étoient fort tristes, la plupart avoient les larmes aux yeux. "Il a paru même de la consternation dans le peuple, quand on a su "que le roi partoit environné de guardes Hollandoises, et qu'il étoit "véritablement prisonier."—See also Clarendon, Diary, 321.

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the interests of the prince.[1] Everything concurred to strengthen the king's conviction that his nephew intended to assume the crown; and, when he compared the events of the last few days with what he observed around him; that he was permitted to communicate freely with all who presented themselves; and that, while egress from the house towards the town was closed by the military posted at the door, the road from the garden to the river was left entirely open, he concluded that his presence was an embarrassment to his enemies; and that, if they thus afforded him the means of evasion, it was with the hope that he would avail himself of the opportunity to withdraw from the kingdom. This very inference formed of itself a sufficient argument why he should remain; it was hourly confirmed by letters and messengers from his most trusty adherents, and powerfully urged by Lord Middleton in person, who plainly told him that if he were once to seek an asylum abroad, he must never expect to set his foot again on English ground.[2] On the other hand it was represented to him, that as long as he remained, he lay at the mercy of an ambitious competitor, who could dispose of him as he thought fit; that he was, and would be in fact, a state prisoner, and must know that, according to the saying of his royal father, who had proved the truth of the

[1] James (Memoirs), ii. 268, 270, 272. Kennet, 504. Burnet, iii. 341. Clarendon, Diary, 232.

[2] Brady was sent to him by the bishop of Ely on this subject (Clar. Diary, 232), and was seen by him.—James (Mem.), ii. 270. Clarendon sent Belson with a similar message, "a discreet and "honest man, a Roman Catholic, and one who never approved the "foolish management of Father Petres; as, in truth, did none of "the sober Roman Catholics."—Ibid. Belson went to Rochester, and was announced to the king at supper, who said that he had letters to write, but would speak to him in the morning. In the morning Belson found that he was gone.—Ibid. 234.

adage in his own person, there was but a short distance between the prison of a king and his grave; and that even Lord Middleton, when the question was put, did not dare to reply that he saw any means of security for his life on this side of the sea. Amidst these conflicting opinions the unfortunate monarch repeated, but with the prelates, the experiment which he had unsuccessfully made with the aldermen; and through the bishop of Winchester offered to place himself in the custody of the episcopal bench, provided they would answer for his safety. The offer was, however, Dec. 22. evaded; and from that moment he took the resolution to escape from durance, while the council of peers was yet in deliberation respecting his future lot.[1] Before supper he sat down and wrote a declaration of the motives which induced him to withdraw. It was, he said, next to madness to suppose that his life would be in safety, as long as he remained in the power of a son-in-law who had invaded his dominions without provocation, had made him a prisoner in his own palace, had sent him an order in the dead of the night to quit his capital, and had endeavoured to make him appear to the world as "black as hell," by imputing to him the crime of a supposititious child: an imputation which even those who made it believed in their consciences to be false. He was born free, and wished to continue so; he had ventured his life in defence of his country, and was not yet too old to venture it again: for that purpose he had withdrawn, while it was in his power, but should still remain within call, ready to come forward whenever the people should open their eyes to the false but specious pretext of religion and pro-

[1] James, ii. 271, 272. This is confirmed by Reresby, 312. He had sent a similar message to Danby in Yorkshire.—Reresby, 325.

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perty with which they had been deluded.[1] This paper he ordered the earl of Middleton to publish, left certain gratuities to be given to deserving persons, and one hundred guineas to each of the captains of the Dutch guard; and, having communicated his intention to the lords Aylesbury, Lichfield, Middleton, and

Dec. 23.

Dumbarton, retired to his bed at the usual hour. Soon afterwards he arose, and passed through the garden to the river, in company with Macdonnel and Trevannion, two captains in the navy, his natural son the duke of Berwick, and Biddulph, one of the grooms of the bedchamber. The weather was stormy; the wind and tide opposed their progress; and after an ineffectual attempt to reach the fishing smack which had been hired for the occasion, the king went on board the Eagle fireship, and was received by the ship's company with due respect. The next morning he proceeded to his own vessel. They were in all twenty men, well provided with weapons of defence; and after a tedious voyage of two days, in which they ran some danger from the weather, and more from the men-of-war

Dec. 25.

lying in the Downs, arrived without molestation at Ambleteuse, on the coast of France. Thence he

Dec. 28.

hastened to join his wife and child at the castle of St. Germain's, where the exile was received by Louis with expressions of sympathy and proofs of munificence, which did honour to the head and heart of that monarch. A royal palace was allotted for his residence; his wants, and those of the queen, were anticipated and supplied; and the same honours were paid to him, as if he had still been in possession of the two thrones of Great Britain and Ireland.[2]

[1] James (Memoirs), ii. 273. Echard, 1134.

[2] James (Memoirs), ii. 275, 277. Barillon, 2 Janvier. The prince

But it is time to leave the fugitive prince to mourn over his fall, in royal but borrowed splendour, at St. Germain's; and to turn to his successful nephew, exercising, but under a dubious and unacknowledged title, the sovereign authority at Whitehall.

If the reader has carefully watched the conduct of the latter during the last two years, he will have to come to the conclusion that, whatever might be the pretexts set forth in his declaration, whatever the motives attributed to him by the policy or the partiality of his friends, his real object from the beginning had been the acquisition of the English crown. Though, hitherto, he had met with little resistance, yet, as long as the king remained within the realm, he knew not how to gratify his ambition without the incarceration or the death of his uncle, expedients advised indeed by the more ardent of his followers, but in his own judgment both disgraceful and dangerous. Now, however, that James by his flight had relieved him from this embarrassment, the chief question that remained for his decision was, whether he should seat himself at once on the throne, as belonging to him by right of conquest, or should quietly wait till he was called to it by the voice of the people. There were not wanting counsellors who urged the first part of the alternative; but the prince himself shrunk from the attempt. By it he would openly give the lie to his most solemn asseverations; he would insult the nation which had hailed him as its saviour, and would trample on the very rights and liberties of which he had proclaimed himself the champion and the avenger. Hence he judged it more gracious, and at the same time much

had sent to Barillon an order the preceding evening to leave London for France on the 3rd, N.S. See note (F).

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safer, to advance no claim on his own part; to leave the settlement of the government, in appearance at least, to the free choice of the people; and to trust for the accomplishment of his object to the zeal and influence of his adherents, his own vigilant, though temporising, policy, and the gradual march of events which he had it in his power to direct according to his pleasure, and to make subservient to his purpose.

At his request the Lords continued to sit at Westminster; but it soon became manifest that the majority would seek to hold him to the strict letter of his declaration, unless they were diverted from their object by additional pressure from without: for which purpose, under the pretext of taking the advice of the

Dec. 23.

people as well as of the nobility, he called together a meeting of a description unknown in the history of the constitution—a meeting of all the members of any house of commons summoned in the reign of Charles II., who chanced at that moment to be in the metropolis, together with the lord mayor, the court of aldermen, and fifty citizens as representatives of the common council. All these he desired to meet him at St. James's, and to aid him with their advice, "as to "the best manner how to pursue *the ends* of his declaration"[1]—a most politic proceeding, as it flattered the vanity of the middle classes, and gave a new impulse to the deliberations of the Lords. The next

Dec. 24.

morning the latter were reminded by William's adherents of the necessity of putting an end to the present unsettled and uncertain state of the government. It could not, indeed, be done by parliament, for parliament could be summoned by a king only. It might, however, be done by a convention. In the absence of

[1] Kennet, 505.

Charles II., a convention had called him to the possession of the throne: in the absence of James II., a convention might remedy the evils arising from the dereliction of the throne by that monarch. By some of the king's friends it was proposed, that in the first place the declaration left by James at Rochester should be communicated to the house; but the demand was eluded by Lord Godolphin, who declared that it contained nothing which bore on the question in debate. Lord Clarendon then moved that an inquiry should be made into the birth of the supposed prince of Wales; but it was replied that such inquiry would not lead to any satisfactory result, because the child was in a foreign country, where his identity could not be ascertained, and where, if he should die, another might be clandestinely substituted in his place. On the other hand, Lord Paget, who was supported by the bishop of London, and Lord North demanded without delay that the prince and princess should be declared king and queen; but to them were opposed the earls of Pembroke and Nottingham, who with great ability defended the right of the fugitive king.[1] In conclusion, after a long and desultory debate, an address was voted to the prince, begging him to assume and exercise the government of the realm till the meeting of a convention on the 22nd of January, and for the election of the members of that convention to issue writs similar to those which the king was accustomed to issue for the election of members of parliament.[2]

That this was the most eligible expedient in the existing circumstances is evident: whether it satisfied the ambition of the prince may be doubted; for it was

[1] Clarendon's Diary, Dec. 24. Burnet, 817.
[2] Kennet, 505. Buckingham, ii. xxv.

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based on the unwelcome principle that he possessed no claim to authority independently of the choice of the nation, and must therefore submit to take it with such conditions and limitations as the nation might think fit to prescribe. When the address was presented, whether he had not yet subdued his dislike, or sought to ingratiate himself with the Commons, he bade the Lords wait till the sense of the other meeting was ascertained. They, however, after some debate, adopted the same address; and William replied to each body separately, that he would undertake to preserve the public peace till the meeting of the convention; would issue the necessary writs according to their request; would endeavour to maintain the Protestant religion and interest in Ireland; and would always be ready to expose his person to danger in defence of the laws, the liberties, and the religion of the two kingdoms.[1]

Dec. 25. Dec. 27. Dec. 28.

Hitherto no mention had been made of Scotland; nor did there exist in England any authority which could pretend to dispose of the Scottish crown, so long the patrimony of the house of Stuart. Now, however, the Scots themselves were prepared to set aside the line of their ancient monarchs, and transfer their allegiance to the foreign conqueror. At first indeed the royal cause, through the combined influence of the government and the church, had possessed a decided superiority in Scotland. At the announcement of the intended invasion, the council of state had proclaimed, in an address to James, their determination to peril their lives and fortunes in support of the throne of their rightful sovereign; and the clergy of the Episcopal church—it was then the established church in Scot-

[1] Kennet, iii. 506.

land—had laboured to diffuse similar sentiments among the people, partly through their belief in the divine right of kings, and partly through gratitude to the royal family; for it was to the father and grandfather of the reigning monarch that they owed their present commanding position. The bishops, twelve in number, assembled in Edinburgh, and subscribed an address to James, in which they not only assured him of their own "firm and unbroken loyalty," but declared that "interminable and steadfast allegiance was *an essential* "*part* of their religion," and concluded with expressing their conviction that God would watch over the safety of his royal person, and "give to him the hearts of his "subjects and the necks of his enemies."[1]

Their religious opponents, the covenanting Presbyterians, who had in the last reign disowned both King Charles and his brother, had been of late, with hardly an exception, pent up within a narrow district on the south-western coast, or in a few localities in Fife between the Tay and the Forth.[2] There they had been kept in doubtful subjection by the presence of a strong military force. But James felt himself compelled to call away the regular army to his assistance in England, and the moment the pressure was withdrawn, the indomitable spirit of these sectaries revived; they burst from the limits within which they had been enclosed, overran the neighbouring districts, and everywhere indulged in their former extravagance and fanaticism. In defiance of the local

[1] Kennet, iii. 519. Wodrow, iv. 465, 468. Glasgow, 1830.

[2] Bishop Sage affirms that there were not above three or four Presbyterian meeting-houses north of the Tay; that all the parochial clergy except about twenty were decided Episcopalians, and that there were not fifty Scottish gentlemen out of the south-west favourable to Presbyterianism.—Cited by Lyon, History of St. Andrews, ii. 108.

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magistracy, they published the proclamations of the prince of Orange at the market crosses in Glasgow, Irvine, Ayr, and other burghs: at their religious meetings they invoked in the boldest and most solemn language the blessing of Heaven on the invader; and bore their testimony at Glasgow against the antichristian institution of prelatism as well as popery, carrying three images, made to represent the Roman pontiff and the Protestant archbishops of St. Andrews and Glasgow, in procession through the streets, and then throwing them, with shouts of triumph, all three together, into the same flames.[1]

In Edinburgh the support of the royal cause had devolved on the energy and promptitude of the council of state. The members of that body had been the foremost in their protestations of loyalty to James; but when William became lord of the ascendant, interest, if not patriotism, called upon them to deserve the gratitude or approbation of the conqueror. The example was shown by the marquess of Atholl, lord privy seal, who withdrew from the council, probably because he would not sit there in company with papists. A few days later the Protestant members, in a separate meeting, passed a vote excluding all papists from the board.[2] For some time before there had been a continued influx of Covenanters into the capital, and with their aid crowds of students and apprentices and ruffians had been systematically organized night after night to parade the streets, and

[1] Wodrow, iv. 472.

[2] Perth says that he was "forbidden by his fellow-ministers of "state to be any more present in council, or any other Catholic "more than he; and that the M. of Athole had left off to come to "council for several meetings before."—Letters from James, earl of Perth, pp. 5, 6.

create alarms. On the exclusion of the Catholics from the council, these riotous assemblages grew more numerous and more daring. They called for the heads of the two chief ministers, the earl of Perth, lord chancellor, and the earl of Melfort, secretary of state; and the next morning these noblemen were *advised*— more correctly were ordered—by the adverse section of the council to quit the capital.[1] Towards evening an attempt was made to break into Holyrood House, but was defeated by the resolution of the guard. It was

A.D. 1688 — Dec. 9. Dec. 10.

[1] Perth says, "I was *forced* to leave Edinburgh."—Letters, p. 8. The writer in the Sixth Collection of Papers, Dec. 3 (13?) says that the chancellor left *by advice of* the privy council and his friends (p. 3). The writer is unknown; but it is evident that he was a partisan, whose object it was to gloss over the very questionable conduct of the council. Of Perth it is well known that he had become a convert to the Catholic creed soon after the accession of James; but I do not find any proof that his brother Melfort had followed his example. Both attempted to join the king in his exile at St. Germain's. Melfort succeeded: the ship, in which Perth had embarked with his countess, was boarded about three miles from the Bass (Dec. 20) by a band of ruffians, who, having inflicted much brutal treatment on their captives, brought them back to Kirkaldy. The council approved of the arrest, and committed the prisoners to the charge of the earl of Mar, who conveyed them to Alloa by water, and sent them forward to Stirling castle, to be kept there in close custody. This was on Tuesday (Christmas day); and on Saturday, Perth found the means of writing to his sister, the countess of Errol, a long narrative of his adventures since he had left Castle Drummond; and concluded it with the following words:—My enemies (who are such without "any cause) insult over me: the rabble curse and would tear me to "pieces: the grief of my friends melts my heart: the prospect of "approaching death cannot but be uneasy to flesh and blood. But "in all this I have a clear conscience, an innocence unspotted in all "my administration, an excellent religion, and an infinitely merciful "God. On him I do relye, and will do so, as long as I live, that I "may be his to all eternity." It may be thought some confirmation of this boast of "unspotted innocence in all his administration," that his enemies never brought him to trial. He remained a prisoner in Stirling castle more than three years, and was at last discharged on giving security in a bond of five thousand pounds to quit Scotland for ever (4 Aug. 1693). James created him duke of Perth. —See letters from James, earl of Perth, 1—13.

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Dec. 11. Dec. 14. Dec. 24. Dec. 25.

While the capital passed through this purifying process, the country in the south-west had been abandoned to the Covenanters, who, wherever they came, dispossessed their episcopal rivals, "the priests of

Dec. 25.

[1] Wodrow, iv. 472—475. Sixth Collection of Papers, 1—9.

"Baal," of their livings and manses, forcing them with their wives and families to quit their homes in the midst of a most inclement winter. The clerical sufferers are said to have amounted to two hundred. Most were ejected with aggravating circumstances of derision and contumely, some met with treatment of the most revolting barbarity. In the meanwhile many of the leading men in Scotland were on their road to the English metropolis, eager to pay their court to the prince of Orange, and to secure the good-will of their future sovereign. By his direction they assembled in a room at Whitehall, and after three days' deliberation agreed to follow, in substance though not in form, the precedent which had been set by the two English houses. A petition subscribed by about thirty Scottish peers and eighty commoners was presented to William, in which they prayed his highness that he would take upon himself the entire administration of the kingdom till a general meeting of the estates could be holden at Edinburgh; that he would issue writs after the Scottish fashion for such a meeting to be holden on the fourteenth of March; and that he would require all, not only members of the estates, but electors of representatives for the counties and burghs, to be "Protestants, without any "other exception or limitation whatsoever." The prince, of course, graciously signified his assent, and the writs were accordingly issued.[1]

1689. Jan. 10.

Jan. 14.

In England the convention met on the appointed day. The lower house was composed chiefly of the men who had distinguished themselves in their respective counties by their opposition to the obnoxious measures of James: from the upper the Catholic lords

Jan. 22.

[1] Sixth Collection of Papers, 9—13.

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were excluded, not in virtue of any law,—for the law knew nothing of conventions,—but because care had been taken to direct writs to none but Protestant peers. In a short time the members of the two houses subsided into three parties. 1. One was composed of those who looked back with regret to the times of the commonwealth, and wished to take advantage of the existing crisis for the introduction of a nominal monarchy with republican institutions. It was their plan to begin with the deposition of James, to proceed to the confinement of the royal authority within the narrowest limits, and then to offer the crown, shorn of its brightest prerogatives, to the prince of Orange. But the paucity of their number soon convinced them of the hopelessness of their cause; and they contented themselves with giving the weight of their votes to those motions which approximated the most to their own opinions. 2. Then came the partisans of William, who contended that James, by his violation of the original compact between the sovereign and the people, had forfeited his right: that by his departure from England the throne was left empty, and that no one had a better claim to it now than the prince, who by his exertions had freed the nation from the oppressive sway of a despot. These formed two-thirds of the lower house, but were in a minority in the House of Lords. 3. The third might be termed the conservative party, whose boast it was that they had no object in view but to preserve inviolate the constitution of the country. They maintained, as an incontrovertible inference, that, since the crown of England was hereditary, the throne could never become vacant,—for, the moment one prince ceased to fill it, it became by law the property of his rightful heir;

that to depose James was to follow, and therefore to approve, the precedent set by those who condemned Charles I. to death; and that to elect kings without hereditary right was to pave the way for republicanism, since each succeeding monarch would be compelled to accept the crown with the conditions which might be appended to it by the electors. But how then, it was asked, was the government in the present case to be administered? A month before, they would have answered,—treat with the exiled monarch, and recall him to the possession of the throne, under terms which may prevent the repetition of those arbitrary acts that have led to his expulsion. But much had happened in that short interval to render the open expression of such sentiments inexpedient, perhaps dangerous. Hence in the convention they supported a modified opinion, that the royal exile was constitutionally king of England, but in a condition similar to that of a sovereign in infancy, or labouring under incapacity: and from these premises they drew the conclusion, that William should be appointed his locum tenens, to exercise the royal authority in the name of James during his life; but with the understanding that, at the death of that monarch, he should restore it to the rightful heir. This party could not boast of many adherents in the House of Commons: in the Lords they numbered a majority of the bishops and many of the temporal peers.[1]

William had undertaken to exercise the powers of government till the meeting of the convention: at the prayer of the convention he consented to exercise them till he should receive from the two houses an address

[1] See the debates in the Parl. History, v. 36, 52; Burnet, 809.

CHAP. IV. A.D. 1689. respecting the settlement of the nation.[1] This momentous question immediately engaged the attention of the House of Commons. By some of the friends of the prince it was contended, that the voluntary withdrawal of James, without any provision for the government of the realm during his absence, was equivalent in law to a demise of the crown; by others that it was in fact an abdication of the sovereignty. Not a voice was heard in his favour, though some ventured to deprecate a hasty vote before the house would be fully aware of the consequences. Whether the king had resigned, or had forfeited the crown, mattered little; he could resign and forfeit for himself only. No action, no cession of his, could invalidate the right of those who were his successors by law. Neither had the two houses, as then constituted, the power to fill the throne, even if it were empty. That power resided in the nation at large: but the Lords represented only themselves, the Commons only the few electors in the cities and boroughs, and the forty-shilling freeholders in the counties, forming altogether but an inconsiderable portion of the English people. Their opponents, however, possessed an irresistible majority; and the house, after a long and interesting debate, came to

Jan. 22.

Jan. 28. two resolutions. The first of these consisted of two clauses; that the king, "having endeavoured to subvert the constitution of the kingdom by breaking "the original compact between him and the people, "and having by the advice of Jesuits and other wicked "persons violated the fundamental laws, and having "withdrawn himself out of the kingdom, had abdicated the government, and that the throne was "thereby vacant." The second resolution stated, "that

[1] Lords' Journ. xiv. 103.

"experience had shown it to be inconsistent with the "safety and welfare of the Protestant religion, to be "governed by a popish prince." Both resolutions, as a foundation for the meditated change of dynasty, were immediately transmitted to the House of Lords.[1] CHAP. IV. A.D. 1688 Jan. 29.

In the Lords the second of these votes, to which no opposition was anticipated, was immediately read and passed with unanimity. But the conservatives dexterously seized the moment to bring forward, as a consequence emanating from it, their favourite plan of a temporary regency. The king was a Catholic: to him, therefore, according to their vote, the powers of government could not be intrusted with safety: let then some person or persons be appointed to exercise these powers "under the style of King James II., and "during the life of the said King James." The motion was supported with great ability and learning by the earls of Nottingham, Clarendon, and Rochester, and fiercely combated by the marquess of Halifax and the earl of Danby, two rival candidates for the favour of William. They were successful, but gained the victory by a majority of two voices only.[2]

Every eye was now fixed with intense interest on the proceedings in the House of Lords, where the two parties were so nearly balanced. The next day, when the first clause of the first resolution, stating that James had broken the original compact between the throne and the people, was submitted to the consideration of the house, the conservatives tauntingly in- Jan. 30.

[1] Parl. Hist. v. 150, 152.

[2] Lords' Journ. xiv. 110. Clarendon's Diary, Jan. 29. Burnet, 810, 811. All the bishops, but those of London and Bristol, voted in the minority of forty-nine. The majority amounted to fifty-one. Burnet tells us that of those who voted for a regency, some were sincere, but that many supported it, merely because it might afford a means of recalling the king.—Ibid.

CHAP. IV. A.D. 1689.

quired what could be meant by the phrase original compact: where was it preserved; what were its provisions; in what writer, in what record could they be found? Their opponents replied, that the people were the real source of power, and could not be supposed to place themselves under the government of others without some previous stipulation in their own favour. That the crown was hereditary in the same family they did not deny, but they contended that it was elective as to the person, both from historical records, and from the practice still preserved of asking the consent of the people at the coronation of a new sovereign, who was himself compelled to admit virtually the existence of the compact, by taking the oath usual on such occasions. To this reasoning the conservatives objected, that it supposed, as a principle, that the new sovereign derived his authority from his coronation: but this was contrary to the fact; for he became king from the moment of his predecessor's death, previously to any oath or election. On a division, however, the clause was saved by a majority of seven.[1]

The conservative party now made a stand on the second clause. They denied that the king had "abdicated" the government. To "abdicate" was applicable only to a voluntary cession; it could not be predicated of a compulsory flight, such as was evidently that of James: as well might you say of a man who had been driven out of his house by the flames, that he had abdicated his property. The leaders of the Orange party replied, that the king had not, indeed, renounced the government by any formal instrument; but he had voluntarily done that with

[1] Of fifty-three to forty-six.—Burnet, 812. Kennet, 510.

which the forfeiture of the crown was necessarily connected, and consequently had abdicated it by his actions, though not by his words. But the judgment of the house was not satisfied: the Orangists yielded, and it was agreed to substitute the word "deserted" in the place of "abdicated."[1]

Jan. 31.

All this, however, was but preliminary to the discussion of the grand constitutional question, whether it followed from the "desertion" of the government by James, that "the throne was now vacant." The next morning was spent, in obedience to a proclamation by William, in religious exercises, to return thanks to God for the liberation of his people from popery and arbitrary power; when the Lords met in the afternoon, the court party, aware of the general feeling in the house, sought to elude the direct question, by moving an amendment calculated to influence all who had anything to hope or fear from the present government; that, in consequence of the desertion of James, "the prince and princess of Orange should be "declared king and queen." The debate was long and stormy, during which several of the members, particularly the lords Montague and Delamere, unable to control their vexation, indulged in warm and acrimonious language. But their efforts were fruitless: in a house of ninety-nine members, the previous question was carried by a majority of five voices, which increased to eleven in support of another motion to strike out the clause affirming that "the throne was

[1] Lords' Journ. 111. Clarendon's Diary, Jan. 30. Even Burnet seems to have disapproved of the word *abdicated*. "There was," he says, "a meanness in insisting upon it, because it was a word "of dubious meaning, and had been adopted for that very reason." —Burnet, 815.

CHAP. IV. A.D. 1689. "vacant." Thirty-six peers immediately entered their dissent in the journals.[1]

Feb. 1. The result of this debate, awakening hope in the one party, and apprehension in the other, stimulated both to new exertion. The lord Preston sent to the two speakers letters from James, in which the exiled prince recited his previous letters of the 4th of January to the lords of the council, stating the necessity which had compelled him to withdraw, and his intention of returning as soon as it could be done with safety; and then proceeded to declare that he was ready to come back to England, to call a legal and free parliament, and with its aid to redress every grievance, to secure to the established church all its rights and pre-eminence, and to grant to dissenters such indulgence only as should be thought to minister no reasonable cause of suspicion or jealousy. His object was manifest; to revive and animate the loyalty of his friends, and to furnish a public proof that he had not deserted or abdicated the throne. But his enemies were upon the watch, and obtained a vote in each house that the letter should not be opened, on the pretence that there was no satisfactory proof of its authenticity.[2] On the other hand, the lord Lovelace and William Killigrew called together the populace, and, at their head, proceeded to Westminster with a petition that the crown should be given without delay to the prince and princess of Orange. But both houses resented this attempt to influence, by external force, their deliberations, and refused to receive the

[1] Lords' Journ. 112, 113. Clarendon's Diary, Jan. 31. Kennet, 510.

[2] Life of James, ii. 286, 291. Lords' Journ. 114. Clarendon's Diary, Feb. 2. Kennet, 509.

petition on a point of form, because it was without signature.[1]

Hitherto the prince had appeared to act as if he felt no personal interest in the proceedings of the convention, and was nothing more than an officer of government appointed to preserve the public peace. Now, however, that he saw the crown sliding from his grasp, he deemed it advisable to break that silence which he had hitherto maintained, and to disclose in conversation his opinions and feelings with respect to the royal authority; but still with a coldness of manner and a tone of indifference which, though intended to disguise, served only to betray, his disappointment and vexation. He began by complaining of the time which had been wasted in useless debate—not that he was interested in the result—but because it detained him inactive in England, when the events passing on the continent imperiously demanded his presence in Holland. In a great meeting of his adherents at Lord Devonshire's, after a long debate between Halifax, who maintained that the crown ought to be offered to the prince, and Danby, who contended in favour of the princess, the former, turning to Fagel, the Dutch counsellor, inquired what was the real wish of William. Fagel, with true diplomatic finesse, made many apologies, knew nothing of William's mind; but, if he must give an opinion, he thought that the prince would never submit to be gentleman-usher to his wife. "Then," said Danby, "you all know enough, "and I far too much."[2]

After this opening, William, sending for Halifax, Danby, Shrewsbury, and the leaders of his party, said

[1] Clarendon, ibid. and Feb. 4. Reresby, 305.
[2] Dalrymple, App. 342.

CHAP. IV. A.D. 1689.

that if any persons intended to appoint him regent, they might spare themselves the trouble, for the regency was an office which he would never accept, adding, in allusion to the schism among themselves, that he had long ago made up his mind on the nature of the relations between husband and wife, and that as long as he was married, he would be the head of his family. No man was more ready than himself to acknowledge the personal worth of the princess. She deserved a throne, and he should rejoice to see her seated on it; but while he was her husband, he would never be her subject, nor consent to hold the crown by her apron-strings.[1]

These hints produced the intended effect. They pointed out to his partisans the duty expected from them, and made it a subject of consideration with his opponents, whether it were not more advisable to offer the crown to him as a voluntary gift, than to afford him

Feb. 4. a pretext for seizing it by open force. The Commons rejected, without hesitation, the amendments made by the Lords; and a first conference between the two

Feb. 5. houses, which produced no result, was followed by a second, under the name of a *free* conference, in which the Lords maintained, as they had done before, that the king, having *deserted* the government, might be considered civilly dead; and that a regent must of course be appointed to exercise the office in his name during his natural life, but that at his death the royal authority would devolve by law on the next heir. Hence the throne could not be vacant: if it were, the nation would have to choose a king, and would thus render that crown elective, which, by the constitution, is hereditary. The Commons replied that they had no

[1] Burnet, 820.

commission to discuss consequences, but to maintain the fact, that, by the forfeiture of James, the throne was actually vacant. That was a position which the Lords could not dispute. They had established it by their own vote, calling upon the prince to assume the temporary government of the realm; for, if the throne was not vacant, the government would of right belong to the prince in possession. To this reasoning no direct answer was returned; but the Lords inquired whether, according to the doctrine of the Commons, James had forfeited for himself only, or for all his posterity?—a perplexing question, on account of the relationship of Mary to the king; which, however, was met with another question equally embarrassing to the Lords,—If the throne was full, who was the prince in possession?—Thus, after much argument, and much evasion, the second conference terminated, as the first had done, without concession, or approach to accommodation on either side.[1]

The conservatives, though they claimed the superiority in point of argument, could not conceal from themselves that it was in vain, with a feeble majority in the House of Lords, to contend against the prince at the head of a foreign army, in possession of the capital, and supported by two-thirds of the House of Commons. Several began to waver; and William, to gratify the friends of the princess, condescended to declare, that he had no objection to be associated with her on the throne, while she on her part begged as a personal favour that the whole burthen of the government might be laid on her husband. When the house met after the last conference, it appeared that some

[1] See the reasoning on both sides in Parl. Hist. v. 64, 108; Life of James, 11; Kennet, 510, 512.

CHAP. IV. A.D. 1689.

of the conservatives were absent, and that the party of the prince had been reinforced by the arrival of a few lords, who had hitherto kept aloof, some through infirmity, and some through disinclination. Halifax rose. He praised the motives, but disputed the wisdom, of his opponents. The present was a case of necessity, which had not been foreseen. To adhere to the strict line of succession was impossible: it was then their duty to supply the existing defect in that manner which in their judgment would prove most beneficial to the nation. When that was done, they might provide that the crown should in future times descend according to the law of inheritance. On a division, the house agreed to the original votes of the Commons by a majority of four; and that majority, on the motion that the prince and princess of Orange be proclaimed king and queen, instantly increased to about twenty.[1] Against this second vote no protest was entered on the journals: but thirty-eight peers recorded their dissent to the first.[2]

In the next place it was agreed, in compliance with the alleged wish of the princess, that, though William and Mary were equal in rank as king and queen, yet

[1] Lords' Journals, 118, 119. Clarendon's Diary, Feb. 6. According to Kennet, the majority was only twenty, to Clarendon twenty-five. But he numbers one hundred and nineteen peers as present, whilst the journals mention only one hundred and twelve. If we may believe Lord Montague in a letter to William, he had the merit of procuring the first majority of four, by inducing the earl of Huntingdon, the bishop of Durham, and Lord Ashley to vote with him in favour of William. "The motion," he says, "was carried "but by these three voices and my own."—Dalrymple, App. 340.

[2] Kennet tells us the four dukes were brought over; viz. the duke of Ormond, and the three natural sons of Charles II. (Kennet, 510); but this must be a mistake, for the signatures of Ormond, Grafton, and Northumberland, three of the four, are found among those of the thirty-eight protesting peers.—See Lords' Journals, 119.

the exercise of the royal authority should be vested in William exclusively during his life; an arrangement to which her friends assented with the less reluctance, because, from the infirmities to which *he* was subject, they cherished the expectation that she would survive him. At the suggestion of Lord Nottingham, an alteration was made at the same time in the oath of allegiance, by the omission of the epithets rightful and lawful, which it was contended referred to a pre-existing title, and could not, therefore, be applicable to sovereigns succeeding not in accordance with, but in opposition to, law and right. William made no objection, under the notion that such omission might abate some of the scruples manifested by the more conscientious adherents of the dethroned monarch, though it afterwards led to an inconvenience which had not been foreseen,—the doctrine that, according to the oath, William and Mary were king and queen, not *de jure*, but *de facto* only.[1]

CHAP. IV. A.D. 1689. Feb. 7.

But before this a question had been asked in the House of Commons most unpalatable to the expectant sovereign, and most annoying to his more zealous supporters. Was the nation, after the expulsion of James,

Jan. 29.

[1] Lords' Journ. 119, 120. Clarendon's Diary, Feb. 6. Burnet, 832. Burnet, and Lloyd, bishop of St. Asaph, undertook to prove that the prince was king also *de jure*, and adopted for that purpose the favourite maxim of Cromwell. God had given to William the victory over James; therefore, whatever belonged by right of law to James, had been transferred by right of conquest to William, and among the rest the crown and royal authority. A pamphlet in support of this doctrine was, however, burnt by order of the House of Commons. The earl of Nottingham applied the same principle in a different manner. The nation had been the ally of William, therefore no national rights had been transferred to William by conquest; but he (Nottingham) had opposed him, and been conquered by him; therefore his services now belonged by right to the prince. This ingenious sophism was invented, to justify the acceptance by Nottingham of the office of secretary of state to the new sovereign.

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to be placed at the mercy of William, without any provision against those acts of oppression on the part of the crown, from which it had recently been delivered? Why should not the original compact between the king and the people, to which so many appeals had been made in the recent debates, be now at least reduced to writing? Why should not the new king be told what were the rights of Britons, and on what conditions he received the crown from their hands? At these questions William was offended and alarmed. Hints were conveyed to the leaders in the Commons, that he seriously entertained the design of abandoning England altogether, and of hastening with the Dutch army to the defence of Holland against the French monarch; and his adherents were instructed to argue, that the convention had been called for one object only,—to fill up the vacancy left by the withdrawal of the late king: that to pass laws which should define or restrict the prerogatives of the crown, was the office not of a convention, but of a parliament; and that the evils arising from the present interregnum were so great and so numerous, that the safety of the nation allowed not sufficient leisure for the consideration of a question involving interests so complex and important. But these evasions were urged to no purpose. The prince himself saw that something must be conceded, to satisfy the just expectations of the people; and a compromise was made between the opposite leaders, that the offer of the crown should be prefaced by an enumeration of the arbitrary acts attributed to James, and a declaration of the rights claimed by the nation in opposition to those acts: but that, if any amendment of the old laws, or any introduction of new laws, should be thought necessary, that task should be re-

served to the wisdom of the succeeding parliament.[1] CHAP. IV. A.D. 1689.

With this understanding an instrument was framed, which, after several conferences and amendments, obtained the approbation of both houses. It stated that, whereas the late king James II. had assumed and exercised a power of dispensing with and suspending laws without consent of parliament; and had committed and prosecuted certain prelates, because they had petitioned to be excused from concurring with the said assumed power; and had erected a court of commissioners for ecclesiastical causes; and had levied money for other time and in other manner than had been granted by parliament; and had kept up a standing army in time of peace without consent of parliament; and had quartered soldiers contrary to law; and had disarmed several good subjects, being Protestants, when Papists were both armed and employed contrary to law; and had violated the freedom of election of members to serve in parliament; and had prosecuted in the court of King's Bench for matters and causes cognizable only in parliament— Feb. 12.

And whereas—besides these the personal acts of the late king, partial, corrupt, and unqualified persons had of late years been returned on juries, and jurors not freeholders had been admitted to serve on trials for high treason; and excessive fines had been imposed, and illegal and cruel punishments had been inflicted, and grants of fines or forfeitures had been made before conviction or judgment; all of these practices being utterly and directly contrary to the known laws, and statutes and freedom of the realm—

And whereas the said late king James II., having

[1] Parl. History, v. 52, 58. Burnet, 822.

CHAP. IV. A.D. 1689. abdicated the government, the throne was thereby become vacant—

Therefore, the Lords spiritual and temporal and the Commons assembled in a full and free representative of the nation, did in the first place, for the vindication and assertion of their ancient rights and liberties, declare—

That to suspend the execution of the laws by regal authority without consent of parliament, or dispense with laws or the execution of laws by regal authority, *as it had been assumed and exercised of late*;[1] that to erect courts of commissioners for ecclesiastical causes, and such like courts and commissioners; that to levy money in any other way or for any other purpose than granted by parliament; that to prosecute the subject for petitioning, which is the subject's right, and to keep a standing army in time of peace without consent of parliament, are all contrary to law; that Protestant subjects may have arms for their defence, suitable to their condition; that the election of members of parliament ought to be free; that freedom of speech in parliament ought to be impeached nowhere but in parliament; that no excessive bail, nor excessive fines, nor cruel and unusual punishments ought to be awarded; that jurors ought to be duly impannelled, and in trials for high treason ought to be freeholders; that grants and promises of fines and promises before conviction are illegal and void; and that for redress of grievances and the amendment of laws parliaments ought to be frequently held:

And they did claim, demand, and insist upon all and

[1] The reader should observe that by this qualification the power of dispensing with the law in certain undefined circumstances was still saved to the crown.

singular the premises as their undoubted rights and liberties; and having an entire confidence that the prince of Orange would preserve them from the violation of all these rights and of all other their rights, they did therefore resolve,— CHAP. IV. A.D. 1689.

That William and Mary, prince and princess of Orange, be, and be declared, king and queen of England, France, and Ireland, and of the dominions thereunto belonging, to hold the same during their lives, and the life of the survivor of them; and that the sole and full exercise of the royal power should be only in, and executed by, the said prince of Orange in both their names during their joint lives, and that after their decease the said crown should be to the heirs of the body of the said princess, and for default of such issue, to the Princess Anne of Denmark and the heirs of her body, and for default of such issue, to the heirs of the body of the said prince of Orange.[1]

Hitherto Mary had been suffered to remain unnoticed in Holland. It was believed that the prince, jealous of her title, was resolved to owe nothing to the presence or the pretensions of his wife; but the moment he became sure of his object, of obtaining the crown as his own for life, she received directions to come to England, and reached St. James's in the eighth week after the expulsion of her father by her husband's order from the same palace. Hers was undoubtedly an extraordinary situation; and curiosity was alive to watch her conduct, when she met the numerous and brilliant court which had assembled to greet her on her arrival. That conduct was not such as to do her honour. There was a levity in her manner which hurt the feelings of many even among her adherents; an Feb. 12.

[1] See it in Lords' Journals, v. 125.

CHAP. IV. A.D. 1689.

affectation of gaiety, which suited not a daughter taking possession of the spoils of an exiled and affectionate father. She was herself aware of this impropriety, and afterwards alleged in extenuation, that she had acted a painful and unnatural part in obedience to the stern command of her husband. But if the reader recollect the celebration of the fast-day previous to William's departure from Holland, he will remark that her behaviour on this was perfectly in keeping with her behaviour on that occasion.[1]

Feb. 13.

The next morning the two houses proceeded in state to wait on the prince and princess at Whitehall. The Lords were placed on the right hand, the Commons on the left, at the lower end of the banqueting-house. William and Mary, entering at the opposite end, stood under the canopy of state; and the speakers of the two houses, with the members following them, were conducted as far as the step by the usher of the black rod. The clerk then read the declaration of rights, and the marquess of Halifax made to the prince and princess the tender of the crowns of England, France and Ireland, in the name of the convention, "the repre- "sentative of the nation." William replied for himself and his wife, that they thankfully accepted the offer; the more so, as it was a proof of the confidence reposed in them by the whole people. "And," he added, "as I had no other intention in coming hither "than to preserve your religion, laws, and liberties, so "you may be sure that I shall endeavour to support "them, and be willing to concur in anything that shall

[1] Burnet, 825. See the story told by the duchess of Marlborough (Apol. p. 14). Lord Dartmouth will not believe it: yet he states from his own recollection that "she (the princess) put on more airs "of gaiety on that occasion than became her, or were natural to her." —New Burnet, iii. 385, notes.

"be for the good of the kingdom, and to do all that is "in my power to advance the welfare and the glory of "the nation." This answer, so laconic and jejune, disappointed the expectation of the hearers; and the cautious and measured language, in which the new king avoided any direct notice of the declaration of rights, induced many to doubt the sincerity of his previous professions. Was it then possible, they asked, that, after all, he was at heart an enemy to liberal institutions? With the blood of the Stuarts had he also inherited their love of arbitrary sway? But the die was cast. He had accepted for himself and the princess the sceptre which they had offered, and it was now too late to bargain for conditions. William and Mary were proclaimed king and queen in the name of "the lords spiritual and temporal, and of the Com- "mons, together with the lord mayor and citizens of "London, and others of the commons of the realm," at the gate of the palace, at Temple-bar, in the midst of Cheapside, and in front of the Royal Exchange.[1]

On this day, the 13th of February, 1689, commenced the reign of William and Mary in England; but three months elapsed before they acquired possession of the Scottish crown. In Scotland the estates had assembled in obedience to the writs issued by the prince, and, jealous as they were of every departure from national usages, had condescended on this occasion to walk in the footsteps of the two English houses. They declared the throne vacant, drew up an enumeration of the grievances, fourteen in number, which they had suffered under the late monarch, and made a claim of certain rights and liberties as the ancient inheritance of the nation. By this bill of rights they claimed

[1] Lords' Journals, 126, 127. Parl. Hist. v. 108, 113. Reresby.

CHAP. IV. A.D. 1689. not only that no papist should ever succeed to the throne, but also that no Protestant successor should presume to exercise any act of royalty, until he or she had actually taken the coronation oath: and with respect to religion, they voted that "prelacy and the "superiority of office above presbyters was and had "been an intolerable grievance, which ought to be "abolished." Then followed the Act of Settlement, by which the crown was vested in William and Mary, and their heirs, in strict conformity with the English

April 11. act. Immediately the proclamation of the two sovereigns took place with the usual solemnities; and a deputation, having the earl of Argyle at its head, was named to administer the coronation oath to the king and queen, that they might be enabled to enter upon the exercise of the royal authority. A month later

May 11. the new sovereigns received the commissioners in the banqueting-house at Whitehall. Argyle read the oath, while William and Mary repeated it after him verbatim, standing and uplifting their right hands after the Scottish fashion. But when the earl came to the following clause: "We shall be careful to root out all "heretics and enemies of the true worship of God, "that shall be convicted by the true kirk of God of "the aforesaid crimes, out of our lands and empire of "Scotland," the prince paused. It was not, he said, his intention to bind himself by that clause to become a *persecutor*. The commissioners replied, that neither the words of the oath, nor the law of Scotland, did import it. "Then," said he, "we take the clause with "that understanding, and call upon you" (the commissioners)" and on all present to bear witness that such is "our meaning." The ceremony then proceeded, William and Mary promised in the name of the eternal

God to keep every clause of the oath, and from that moment became entitled to the full exercise of the regal authority in Scotland.[1]

[1] Twelfth Collection, pp. 22, 28, 38. It is manifest that the dialogue between William and Argyle, respecting the out-rooting clause, was designed to persuade the public, and especially the Catholic allies of the prince on the continent, that both he and the Scottish estates disclaimed all intention of visiting with persecution the crime of dissent from the kirk of Scotland. But, if that were so, will it not follow that the disclaimer itself was preconcerted for the purpose of deception? The estates had been perfectly aware of William's objection to the oath, and therefore, to lull his scruples, had instructed the commissioners to inform him, that the clause "to root out," did not imply capital punishment, but only imprisonment and forfeiture of personal property during life. Hence neither of the parties could be ignorant that both he and they employed the word "persecution" in a different sense; he in its widest acceptation, implying every kind of penalty inposed on account of religious dissent, they, the commissioners, restricting it according to their instructions, to the infliction of capital punishment only. Men who were not in the secret, must have believed that both spoke of "persecution," in one and the same sense; *they*, however, could not have been blind to the moral turpitude of the part which they were acting, and must have inwardly condemned the equivocation and mental evasions of which they ventured to avail themselves in the performance of so solemn and awful a ceremony.

APPENDIX.

NOTE A, p. 124.

Extrait d'une Lettre de M. de Barillon au Roi.

12 Mars, 1685.

Le roi d'Angleterre manda, il y a deux jours, l'archevêque de Cantorbery, l'evêque de Londres, et quelques autres. Il se plaignit à eux de ce que les prédicateurs s'emportoient dans leurs sermons contre la religion Catholique, et faisoient appréhender au peuple la ruine de la religion Protestante ; qu'il ne pouvoit souffrir une chose si opposée au bien de l'état, et à la tranquillité publique. Ils lui promirent d'y mettre ordre, et de contenir les prédicateurs dans de justes bornes. Ils repondirent même de la conduite et des discours de ceux qui dependoient d'eux, et donnèrent de grandes assurances de leur fidélité. Sa M. B. leur dit en les congédiant : Mess^rs., je vous tiendrai ma parole, et n'entreprendrai rien contre la religion établie par les lois, si vous ne me manquez pas les prémiers ; mais si vous ne faites votre devoir à mon égard, n'attendez pas que je vous protége, et croyez que je trouverai bien les moyens de faire mes affaires sans vous. Ces paroles, prononcées avec fermeté, les ont intimidés : mais je doute fort que cela puisse faire changer le fonds de leur conduite.

Il y a deux partis parmi les evêques. L'un est celui de l'archevêque de Cantorbery, qui est fort modéré à l'égard des Catholiques, et fort royaliste ; l'autre est celui de l'evêque de Londres, qui, sous prétexte de zéle pour la religion Protestante, peut faire beaucoup de mal au roi d'Angleterre. Son maxime fondamental est la persécution non seulement des Catholiques, mais de tous les Nonconformistes. Il est fort difficile de concilier leurs interêts et leurs desseins avec ceux de sa M. B. ; et il ne paroit pas practicable de laisser les Catholiques en repos, et avec l'exercise libre de leur religion dans leur maisons, pendant qu'on obligera par des punitions rigoureuses les Nonconformistes et tous les autres sectaires à se conformer à l'église Anglicane.

C'est ce qui rend les Catholiques plus portés à conseiller à sa M. B. de ne rien espérer du parti episcopal, et de ne rien prétendre pour la religion Catholique qu'une pleine liberté de conscience pour toutes les religions dont l'Angleterre est remplie. C'est un parti que le roi d'A. ne veut prendre qu'après avoir éprouvé s'il peut établir ses affaires par le moyen du parti episcopal, en sorte qu'il n'ait plus rien à craindre des autres. Il se flatte que l'église Anglicane est si peu

éloignée de la Catholique qu'il ne serait pas mal aisé de ramener la pluspart d'entre eux à se declarer ouvertement; et lui même m'a dit plusieurs fois, ils sont Catholiques Romains sans croire l'être.

NOTE B, p. 168.

Monmouth's letter to the king contained several mysterious expressions, which have given birth to numerous conjectures. "The chief end of this letter is only to beg of you that I may "have that happiness as to speak to your majesty; for I have that "to say to you, Sir, that I hope may give you a long and happy "reign. . . . I can say no more to your majesty now, being this "letter must be seen by those that keep me. . . . Could I but say "one word in this letter, you would be convinced" (of his zeal for the king's service); "but it is of that consequence that I dare not "do it." His letter to Lord Rochester is in the same mysterious style. "I have that to say to him which I am sure will set him at "quiet for ever. . . . I can give him such infallible proofs of my "truth to him that, though I would alter, it would not be in my "power."—Clarend. Corresp. i. 143. See also his letter to the queen dowager in Ellis.

From these passages it is evident that Monmouth pretended to be in possession of some information of tremendous importance to the king, and of such a nature that it could not be safely committed to writing, yet would, if it were to reach the royal ear, merit for him the pardon of his treason. To what could that information relate? Some say to the secret participation of the prince of Orange in the late attempt. But, as Mr. Fox has observed, this hypothesis is totally destroyed by the appeal of the duke to the prince and princess of Orange, to bear testimony of the assurances which he had given them of his resolution "never to stir against "the king." Others have supposed that it related to Sunderland, and that that minister was in reality an accomplice in the treasonable attempt. That such was afterwards the prevalent opinion among the followers of the exiled monarch at St. Germains, is certain; but they were prepared to believe anything to the prejudice of Sunderland, and had read in Ferguson's narrative that Monmouth had promised to Sunderland the office of secretary which he held under the king. From the printed memoirs of James we may infer that the same was also the belief of that monarch's son; but the story which is there told in support of the charge is not worthy of credit. It is plainly derived, not from the king's memoirs, but from some other source. It tells us that Monmouth confided his secret to Sheldon, to be by him communicated in private to James; that James commanded Sheldon to deliver his message in the presence of Sunderland; and that, when he told him from Monmouth that Sunderland was a traitor, the secretary treated it as a ridiculous

subterfuge adopted by the prisoner to save his life (ii. 34). But, if this were so, how can we account for the silence of Monmouth on that head, both when he was in the presence of the king, and afterwards, when Lord Feversham visited him in the Tower by order of the king, to receive any communication which he might have to make?

There is another traditionary version of the story, which conveys the information in a letter from Monmouth after he was sent to the Tower, and makes Sunderland intercept it at the door of the royal closet, where he refused entrance to the messenger under pretence that the king was changing his shirt (Clar. Corresp. i. 144, 145). But we know that the letter which Monmouth sent from the Tower was actually delivered to the king, and that in consequence Feversham waited on Monmouth to receive his communication, which proved to be nothing more than what he had previously made.

After all, it is most probable that this unfortunate nobleman had in reality nothing of great importance to disclose, and that he put forth these promises merely to excite curiosity and obtain an interview with the king. It was not the first time that he had employed such an artifice. Expressions of very similar import may be found in his letter to Charles II. at the time when he was charged as an accomplice in the Rye-house plot. That he would endeavour to redeem his pledge during his conference with James, which lasted forty or fifty minutes, by making every discovery in his power, there can be no doubt. He is said to have narrated the whole progress of his own attempt; he might perhaps add what he had learned of the designs of William from his conversation with that prince, perhaps detail the particulars of the intrigue for the banishment of James towards the close of the last reign, so artfully conducted by Halifax, who, it will be observed, was soon after this interview dismissed from office by James, with the remark that it was for reasons locked up within his own breast; but, whatever were the disclosures of Monmouth, they were not deemed of sufficient importance to atone for his repeated offences. James, in his letter to the prince, of July 14th, says, "the duke of Monmouth and "Lord Grey desired very earnestly to speak with me, which they "did, but did not answer my expectations in what they said to me." According to Barillon, "il a declaré n'avoir eu aucun secours de "personne, et qu'il est venu ici avec deux cent piéces seulement, "que les armes qu'il a achetées ne lui coutoient que 800 piéces, et "que ses pierreries avoient été suffisantes. Il s'excusa de ce qu'il a "fait sur les instances et les reproches de son parti qui l'accusoient "de manquer de courage. Il espéroit une révolte sur plusieurs "points d'Angleterre.—Il y a des gens qui croyent que M. le duc "de Monmouth a parlé contre le P. d'Orange. Mais je n'en ai rien "pénétré; et, par tout ce que je puis savoir, M. le duc de Monmouth "n'a rien dit de fort important. . . . Il demanda une seconde fois de "parler au roi d'A.; mais on ne le lui permit pas. Il parla seule"ment à mylord Feversham, à qui il ne dit rien de conséquence."—Barillon, 23, 30 Juillet.

NOTE C, p. 242.

Extrait d'une Lettre de M. de Bonrepaus à M. de Seignelay.

4 Sept. 1687.

"Un homme de condition de la cour d'Angleterre, qui a l'entière "confidence de myl. Tirconnel, et dont il se sert pour toutes les "affaires secrettes qu'il a à faire proposer au roi son maitre, m'a dit "que son ami lui avoit permis de s'ouvrir à moi sur la vue qu'il "avoit, qu'en cas que le roi d'A. vint à mourir, il prenoit des "mesures pour ne point tomber sous la domination du P. d'Orange, "et pour se mettre sous la protection du roi. Il auroit souhaité "que je fusse allé à Chester, où myl. Tirconnel doit se trouver, "pour conférer ensemble sur ce projet. Mais, comme j'ai connu "par ses discours que l'intention de myl. Tirconnel étoit de de-"mander qu'on fit à present dans les magasins des provisions d'armes, "de selles, et d'autres choses, qu'il croit ne pouvoir trouver facile-"ment en Irlande en cas de besoin, je n'ai pas cru devoir entrer "dans une negociation de cette nature sans en avoir un ordre exprès. "J'ai seulement dit que je garderois le secret, qu'on m'a fort recom-"mandé, surtout à l'égard de M. de Barillon, qu'on craint à cause "de myl. Sonderland, et que, si au retour de Chester on avoit "quelque chose de plus particulier à me dire, je vous en écrirois "pour recevoir les ordres du roi, que cependant il me paroissoit que "le roi d'A. n'étoit point en état par son age ni par sa santé de "faire songer à prendre des mesures si éloignées. Ce même homme "m'a dit que myl. Sonderland faisoit entendre à myl. Tirconnel "que son dessein étoit de se retirer en Irlande en cas d'accident, "mais que ce dernier ne se fioit point à l'autre. J'ai su aussi par le "marquis d'Albeville que la plus grande inquiétude du P. d'Orange "est que l'Irlande ne se met en état avant la mort du roi d'A. de "pouvoir se soustraire de sa domination, lorsqu'il viendra à la "couronne. J'ai cru qu'il ne falloit point témoigner plus d'em-"pressement pour une proposition de cette nature. On sera tou-"jours assez à temps à revenir à un homme qui fait de ces sortes "d'avances, si le roi le trouve à propos. Je sais bien certainement "que l'intention du roi d'A. est de faire perdre ce royaume à son "successeur, et de le fortifier en sorte que tous ses sujets Catholiques "y puissent avoir un azile assuré. Son projet est de mettre les "choses en cet état dans le cours de cinq années. Mais myl. Tir-"connel le presse incessament pour que cela se fasse en moins de "temps ; et effectivement sa M. B. y a envoyé depuis huit jours un "vaisseau chargé de poudre, armes, et mortiers à bombes, à la soli-"citation de cet homme qui m'a parlé."

M. de Seignelay à M. de Bonrepaus.

29 Sept. 1687.

"J'ai rendu compte au roi de ce que vous m'écrivez sur ce qui

"vous a été proposé de la part de myl. Tirconnel, et S. M. trouve "l'affaire très importante. Mais il faut que vous preniez bien garde "avant de repondre à celui . . . qu'il ne le faut pas faire légerement, "ni sans être assuré qu'il a une creance positive de myl. Tirconnel. "Cela étant, vous pouvez lui dire que le roi agrée les proposi- "tions qu'il fait, et que, la conjoncture arrivant de la mort du roi "d'A., s'il se trouvoit en état de se soutenir dans l'Irlande, il pour- "roit compter sur des secours considérables de la part de S. M., qui "fera disposer toutes les choses nécessaires à Brest pour cet effet. Et "comme une matiére de cette importance demand un secret impéné- "trable, il est bon que vous l'assuriez que cela ne passera pas par "M. de Barillon, et que vous preniez des mesures pour une corre- "spondence directe avec myl. Tirconnel, afin qu'en cas de besoin "on puisse discuter avec lui les conditions sous lesquelles S. M. lui "pourroit accorder ses prétensions et les secours dont il auroit "besoin, pour maintenir la religion Catholique dans l'Irlande, et "séparer ce royaume du reste de l'Angleterre, en cas qu'un prince "Protestant parvint à la couronne."

NOTE D, pp. 279, 341.

In the spring of 1689 Sunderland published a vindication of himself (Cogan's Tracts, vol. iii.), in which he acknowledged his error in consenting to form part of an administration so hostile to the interests of the country, but maintained that, instead of advising, he had always opposed those illegal and irritating measures which provoked the discontent of the people, and led to the expulsion of James. But the circumstances in which he wrote detract from his credit, and the despatches of his friend Barillon show that several of his assertions are false.

By the partisans of the exiled prince he was charged not only with having advised and promoted the measures which deprived James of his crown, but also with having done it for that very purpose. But of the latter part of the charge there is no proof; and his conduct may be fairly explained, by attributing it to his desire of gratifying the king, and thus acquiring power. This is the light in which it was considered at the court, and by the foreign envoys.

That he was the pensionary of France is certain. The payments and acquittances are still preserved. In return, he bound himself to communicate to the French ambassador whatever he might learn which could affect the interest of the French king. But it was not to be expected that a man who was unfaithful to his own sovereign would be strictly faithful to his engagement to a foreign prince. "M. de Barillon," says Bonrepaus, "est très considéré en cette cour, "et ami intime de myl. Sonderland, qui lui dit beaucoup de "nouvelles, mais je ne suis si persuadé que lui, qu'il lui dise tout ce "qu'il sait. J'ai eu occasion de lui faire remarquer des choses que

"myl. Sonderland ne lui avoit point dites."—Bonrepaus, 4 Juin, 1687.

That he also betrayed the secrets of the king to his enemy the prince of Orange, has often been asserted; the charge, though never fully proved, is not devoid of probability.

On the $\frac{1}{21}$ July, 1678, Bonrepaus writes to Seignelay: "Myl. "Sonderland semble être entiérement devoué au roi son maitre, et "va au delà de tout ce qu'il peut souhaiter pour l'avancement de la "religion Catholique, mais il fait connoitre, de l'autre coté, que cette "même conduite, dont il ne se cache point, doit persuader au prince "d'Orange qu'il est capable de tout hazarder pour lui, lorsqu'il sera "temps. Ce raisonnement est appuyé de la connoissance que "j'ai, qu'il entretient un commerce secret avec le P. d'Orange "par le moyen de sa femme. On leur prit, il y a quelque temps, "des lettres qu'elle écrivoit à Mr. Sydney, qui est presentement "auprès du P. d'Orange, et fort bien avec lui. Le roi d'A. a eu "connoissance de ces lettres, que madame de Sonderland a desa-"vouées; et myl. Sonderland s'est tiré d'affaire en disant que, quand "même ces lettres de sa femme ne seroient point supposées, il seroit "impossible qu'il y eut aucun part: qu'on ne savoit que trop que "sa femme étoit soupçonnée d'avoir un commerce de galanterie "avec Sydney, et qu'il n'étoit pas vraisemblable qu'il mit toute sa "fortune et sa vie entre les mains d'un homme qu'il doit haïr."

The contents of these intercepted letters are noticed in a memorial in the depôt, in volume 154, Supplement, 1687, 1688. "Madame "de Sonderland le prioit de faire comprendre au P. d'Orange que son "mari étoit obligé de consentir malgré lui à tout ce qui se faisoit à "l'avantage de la religion Catholique; mais que, puisque la fidelité "qu'il devoit au roi son maitre le forçoit d'agir contre ses propres "sentiments, c'étoit une assez grande preuve de la fidelité qu'il "auroit pour le P. d'Orange s'il se trouvoit en place lorsqu'il vien-"droit à la couronne. Ces lettres ont été desavouées de M. et de "Mad. de Sonderland. Mais les soupçons ont été renouvellées à l'occasion du voyage que le s^{r}. Felton est allé faire en Hollande."

On the 1st of August, probably in consequence of this information, Louis wrote to Barillon: "J'apprends d'ailleurs que celui "d'ont je vous écris a de grandes liaisons avec le P. d'Orange, et "qu'il est même tellement attaché eaux intérêts de ce prince, qu'il "entretient des correspondences secrettes avec lui, non seulement "contre mes intérêts mais aussi contre ceux du roi de la G. "Bretagne. Ainsi vous devez observer de plus sa conduite, et lui "faire connoitre que j'ai droit de me promettre qu'il vous avertira "plus fidélement à l'avenir au moins de ce qu'il jugera bien pouvoir "altérer la bonne intelligence, qu'il y a présentement entre moi et le "roi de la G. Bretagne."

Barillon defended his friend, as far at least as he durst, in his answer of August $\frac{1}{11}$. "A l'égard des avis qu'a V. M. sur une cor-"respondence secrette d'une personne considerable en ce pays-ci "avec le P. d'Orange, je n'ai garde de contester un fait, ni de revo-

"quer en doute la verité des avis que V. M. peut avoir, quoique "cela n'ait aucun rapport avec tout ce que je sais. Je serai autant "appliqué que je le dois à pénétrer ce qui en est. M. d'Avaux "m'en avoit mandé quelque chose, il y a deux ou trois mois, "mais je crus en ce temps là que cela n'avait d'autre fondement "que des discours tenus ici, dont la personne intéressée s'est "mocquée. La chose en soi est si importante qu'on ne peut trop "prendre de soin pour l'éclaircir. Je supplie cependant V. M. "de suspendre son jugement, jusqu'à ce qu'on puisse, s'il est pos-"sible, découvrir la verité."

About the end of the year Louis informed Barillon that the same charge against Sunderland had been recently made by Skelton, the English ambassador at Paris. Barillon replied that he could discover nothing to confirm it: on the contrary Sunderland constantly acted in opposition to the views of the prince, was the warmest advocate of every measure in favour of the Catholics, and was even resolved to declare himself a Catholic whenever the king should require it.—Barillon, 9 Janvier, 1688.

On May $\frac{28}{18}$, 1688, D'Avaux, in answer to an inquiry made by Louis, replies that most certainly the prince and princess of Orange are made acquainted with everything that passes in the most secret councils of James; that he has often complained to Barillon of the many visits paid by Sydney to the prince; and that Barillon in answer has acknowledged the consideration which Sunderland has for Sydney, and alleged the hardship it would be to prevent the latter from paying his court to the prince, as he had nothing to hope from the king. D'Avaux concludes thus: "J'ai toujours cru que "myl. Sunderland n'a pas été faché, que M. de Sydney fut si bien "auprès du P. d'Orange, pour avoir dans un changement de gouverne-"ment un homme qui le maintint. Quoiqu'il en soit, on est persuadé "ici, que M. de Sydney ignore peu de choses de ce que savent M. et "M^{e}. de Sunderland, et il est certain que le P. d'Orange n'ignore "rien de ce que sait le sieur de Sydney."—D'Avaux, 20 Mai. Négociat. vi. 75. See also note to Burnet, iii. 301.

Though these passages contain no direct proof, the charge contained in them is strongly confirmed by a letter from the private cabinet of William, published by Dalrymple (p. 187). It is written to the prince by Lady Sunderland on March 7, 1687; and in it she warns him of certain propositions to be offered to him by the king, advises him to reject them, and apologizes for having addressed him directly, on account of the absence of Mr. Sydney, the "only person "whom she trusted."

Barillon, on the disgrace of Sunderland, was careful to inform his sovereign that the king did not believe that Sunderland had betrayed him. On Dec. 9 (N. S., Nov. 29, O. S.), he mentions him again, but in a different manner. "Myl. Sunderland est ici, et a "quitté Windsor. Le roi d'Angleterre s'explique durement à son "sujet." James, in his Memoirs, appears to countenance the belief of his duplicity and treachery.—Memoirs, ii. 187.

At the revolution Sunderland left England for Amsterdam, but wrote to William that it was by the advice of his friends, and not in pursuance of his own judgment: "for I thought I had served the "public so importantly in contributing what lay in me towards the "advancing of your glorious undertaking, that the having been in "an odious ministry ought not to have obliged me to be absent." March 8th, 1689.—Dalrym. App. part xi. p. 3.

Some years later William gave ten thousand pounds to Lord Dorset to quit the chamberlain's staff, which he bestowed upon Sunderland. "I have always been persuaded," says Lord Hardwick, "from the signal confidence which King William reposed in this "lord through the whole course of his reign, that he had received "some particular services from him at the time of the revolution, "which no one else could have performed: and perhaps this reserved "and cautious prince liked him the better for being only *his* man. "Both parties (Whigs and Tories), and no wonder, were much em-"bittered against him."—Note to Burnet, iv. 369.

On the whole, there can be little doubt that Sunderland, to secure the favour of the prince of Orange, betrayed to him, occasionally at least, the secrets of his sovereign, in violation of his duty and his oath. His assertion that he had "contributed all that lay in him to "the advancing of the revolution" may also be true; but most probably it was nothing more than an afterthought, artfully put forward for the purpose of claiming merit to himself for that from which he had hitherto incurred blame.

NOTE E, p. 360.

The two following letters to Louis XIV. relate to the escape of the queen with her son. The first was written by Mary on her arrival on the French coast, the second by James himself after his return from Faversham to London:—

SIRE,

Une pauvre reyne fugitive, et baignée dans ses larmes, n'a point eu de peine à s'exposer aux plus grands perils de la mer, pour venir chercher de la consolation et un asile auprès du plus grand roi, et du plus généreux monarque du monde. Sa mauvaise fortune lui procure un bonheur que les nations les plus éloignées ont ambitioné. La nécessité n'en diminue rien: puisqu'elle en a fait le choix, et que c'est par une estime singuliére qu'elle veut lui confier ce qu'elle a de plux précieux en la personne du prince de Galles son fils. Il est encore trop jeune pour en partager avec elle sa juste reconnoissance. Elle est toute entiére dans mon cœur, et je me fais un plaisir, au milieu de tous mes chagrins, de venir à l'ombre de votre protection.

LA REYNE D'ANGLETERRE.

MONSIEUR MON FRERE,

Comme j'espére que la reine ma femme et mon fils ont dès la semaine passée mis piéd à terre en quelques uns de vos ports, j'espére que vous me ferez le plaisir de les protéger ; et sans que malheureusement je fus arrété en chemin, j'y aurois été moi même pour vous le demander pour moi même aussi bien que pour eux. Votre ambassadeur vous rendra compte du mauvais état de mes affaires, et vous assurera aussi que je ne ferai jamais rien contre l'amitié qui est entre nous. Etant très sincerement, Monsieur mon frere, votre bon frere,

JACQUES, ROI.

A Whitehall, ce $\frac{23}{13}$ Dec. 1688.

Louis, on the 14th of December, wrote to Barillon :—"Je fus "averti hier au matin par une lettre du comte de Lauzun que la reine "d'A. étoit heureusement arrivée à Calais avec le P. de Galles, après "avoir évité de grands dangers ; et j'ordonnai aussitôt au S^r. de Bé- "ringhen, mon premier écuyer, de partir avec mes carosses et les "officiers de ma maison pour servir cette princesse et le P. de Galles "dans leur voyage, et leur rendre les honneurs qui leur sont dus "dans tous les lieux de leur passage. Vous informerez le roi d'A. "de ce que je vous écris....."

NOTE F, p. 381.

The following news-letter, which describes the reception of James by Louis at St. Germain's, may perhaps appear interesting to some readers.

A Versailles, le 7 Janvier, 1689.

Le roi alla hier après midi atteindre la reine d'A. jusqu'auprès Chaton. Dès qu'elle approacha, le roi mit pied à terre, et elle descendit de carosse, aussi-tôt qu'elle l'apperçut. Le roi, monseigneur, et monsieur la baisserent, et les princes de sang ne la baisserent pas. Le roi, monseigneur, et monsieur monterent dans son carosse, et la conduisirent à S. Germain en Laye. Le roi lui donna la main jusque dans son appartement. Ils se traiterent réciproquement de majesté dans leurs discours. Elle appella toujours le roi, sire, quoique la feue reine et madame la dauphine ne l'appelloient que monsieur. Le roi lui donna ensuite la main pour la mener dans l'appartement du prince de Galles, qui est celui des enfans de France à S. Germain, et là il la quitta sans qu'elle le conduisit. Le roi fit plus de caresses au prince de Galles qu'il n'a jamais faites à ses propres enfans. Outre que la reine est servi magnifiquement à S. Germain, qu'on lui a donné toutes sortes d'officiers, et que le roi la defraie dans toutes choses, elle a trouvé ce matin six mille Louis d'or sur sa toilette dans une cassette fort propre.

Le même jour, 7 du courant, l'entrevue du roi et du roi d'A. s'est

faite en S. Germain en Laye. Le roi y est arrivé à six heures du soir, et a été voir la reine d'A. qui étoit couchée. Il s'est assis au chevet de son lit, et y a demeuré environ demi heure, monseigneur étant debout auprès de lui, et tous les courtisans dans la chambre. Environ sur les six heures on est venu dire au roi que le roi d'Angleterre arrivoit. Il a ordonné qu'on le vint avertir, quand il commencerait à entrer dans la cour, et dès qu'on le lui est venu dire, il a quitté la reine, et est venu jusqu'environ au milieu de la salle des gardes. Et lorsque le roi d'A. a paru au haut du dégré, il a avancé vers la porte, et ils se sont joints environ à six pas de la sentinelle au dedans de la salle. Dès que le roi d'A. l'apperçut, il a commencé à s'abaisser, et en approchant de sa majesté il s'est baissé si bas, que le roi a eu de la peine à l'embrasser. Ils se sont embrassés à quatre ou cinq reprises, toujours également baissés, et cela a duré pres d'un pater noster, sans qu'on ait entendu ce qu'ils se sont dits dans ces embrassements. Incontinent le roi l'a mené dans la chambre de la reine, lui donnant la droite sur lui. Sa majesté l'a presenté en même temps à la reine en lui disant, "Madame, voilà un gentil-"homme de votre connoissance, que je vous amene." Alors le roi d'A. a embrassé étroitment la reine son épouse en présence de tout le monde. Peu de temps après le roi a mené lui-même le roi d'A. chez le prince de Galles, et après l'avoir reconduit à la ruelle du lit de la reine, ils se sont séparés. Le roi d'A. fait une demonstration de vouloir reconduire le roi, et sa majesté lui a dit, "Monsieur, je "crois que ni vous ni moi ne savons guère le cérémoniel de ces "occasions, parce qu'elles sont fort rares, et ainsi je crois qne nous "ferons bien autant que nous pourrons d'en supprimer la cérémonie "et l'embarras. C'est encore aujourd'hui chez moi. Vous voulez "venir chez moi demain à Versailles, dont je ferai les honneurs, et "après demain je reviendrai vous voir ici, et, comme ce sera chez "vous, vous en userez comme vous voudrez."

Le roi d'A. avoit avec lui deux de ses enfans naturels. Il a paru avec un air assez gai, et assez riant, et la reine de son coté a paru comblée de joie. Le château de S. Germain est très superbement meublé, et magnifiquement éclaire. On a donné au roi et à la reyne des valets de chambre, des huissiers, et toutes sortes d'autres officiers de même que le roi a, des gardes du corps des cent Suisses, des gardes de la prevôté, mais il n'y a point des gardes d'infanterie. Jamais toilette ne fut plus propre, plus magnifique, ni plus abondante, et tout ce qu'on peut imaginer pour tous les besoins et la propreté la plus exquise des femmes, que celle qu'a trouvé la reine d'A. pour elle. Le roi a donné au roi d'A., pour son entretien, celui de la reine, et du prince de Galles, cinquante mille écus par mois.

NOTE G, p. 320.

The following will prove a more correct account of this celebrated election. Neither of the competitors (not the cardinal, for he was already bishop of Strasburg, nor the Bavarian prince, for he was already bishop of Ratisbon) was eligible, according to the canon law. Both, therefore, had solicited an indult of eligibility from the pontiff, who acceded to the petition of Clement, but refused that of Furstemberg. On the appointed day the capitulars assembled; nine joined in the election of the Bavarian, who was now eligible; thirteen "postulated" in favour of the cardinal, who was still ineligible. The latter contended that the majority of the postulators ought to prevail over the minority of the electors. The question was maturely debated in Rome before a congregation of canonists, who decided unanimously that in this case the election was perfectly valid, and their decision was solemnly confirmed by Innocent himself. It was founded on this principle, that the election must prevail, whenever the votes in its favour exceed one-third portion of the whole number of voters. Here they were nine out of the twenty-two.—Tickler, Jus Canon. tom. ii. p. 12.

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Beaufort, Henry, son of John of Ghent, and bishop of Winchester, account of, iv. 17; quarrels with his nephew, Humphrey, duke of Gloucester, ibid.; made cardinal, 65; heads a crusade against the Hussites, 67; leads these troops against the French, ibid.; gains popularity by this conduct, 68; charges brought against him by Gloucester, 69; his death, 83.

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Bedford, duke of, brother of Henry V., defeats the French fleet, and relieves Harfleur, blockaded by Armagnac, iii. 506; regency of France conferred on him, 523; his character, ibid.; marries a sister of the duke of Burgundy, 524; marries Jacquetta of Luxemburgh, iv. 45; quarrels with the duke of Burgundy, ibid.; his death, 48.

———, Jacquetta, duchess of, her daughter, Lady Elizabeth, married to Edward IV. iv. 154; reports of witchcraft circulated against her, 156.

———, George Nevil, son of the earl of Northumberland, created duke of, preparatory to his proposed marriage with the eldest daughter of Edward IV. iv. 170.

Bedinfield, Sir Henry, keeper of the Princess Elizabeth, v. 439; vindicated, ibid. *note.*

Bedloe, W. (Oates's coadjutor), arrested at his own request, ix. 374; his depositions as to the popish plot and Sir E. Godfrey's death, 375; asserts that it is intended to re-establish Catholicism, 376; accuses Prance as one of Godfrey's murderers, 386; obtains a reward of 500*l.*, 407. *note;* informs against Reading, 409; his depositions on his deathbed, 475.

Beggars, permitted by license: punishments to those unlicensed, v. 259, *note.*

Belasyse, Lord, he and four other Catholic peers committed to the Tower, ix. 365; impeachments against them, 408.

Belesme, Rob. de, earl of Shrewsbury. See *Shrewsbury.*

Bennet, Sir Henry. See *Arlington.*

———, Sir John, judge of the Prerogative Court of Canterbury, impeached and fined, but pardoned by James I. vii. 222.

Berengaria, daughter of the king of Navarre, conducted to Naples by Eleanor, mother of Richard I. ii. 254; married to him at Lymesol, 256.

Berkeley, Sir J., aids Charles in his escape from Hampton Court, viii. 187; the duke of York is ordered by his brother, Charles II., to dismiss him, 485; returns with the duke to Bruges, ibid.; the enmity between him and Clarendon, and the different causes assigned for it, ibid. *note.*

Bernicia, kingdom of, founded by Ida, i. 80, united to Deira, 98 (see *Northumbria*); divided by Halfdene among his followers, 194.

Bianchi, or Albati, a fanatical sect in Italy, iii. 404, *note.*

Bible, Tyndal's translation of, v. 111; Matthewe's, 112.

Biddle, John, the father of the English Unitarians, viii. 453, *note.*

Bishop, Captain, system of espionage formed by, viii. 335.

Bishops, English, deposed by the Normans, i. 457; Norman prelates, 458; election of bishops, ii. 311; the Scots deputies aim at their suppression, in the reign of Charles I. vii. 466; petitions presented for their abolition, 467; a majority in parliament obtained by the reformers, 468; twelve bishops impeached by the Commons, 515; bishops restored to seats in parliament at the Restoration, ix. 33; their right to vote at the trial of peers discussed, 421.

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he determines to prosecute them, 303 ; they refuse to give their personal recognizances and are sent to the Tower, 304 ; are afterwards bailed, 307 ; their trial, 309 ; their defence, 311 ; opinions of the judges, ibid.; enthusiastic joy of the people on their acquittal, 312.

Blackwall, the arch-priest, takes the oath of allegiance to James I. vii. 93 ; dies in prison, 95.

Blake, Admiral, proceeds to the Tagus to attack Prince Rupert's fleet, viii. 367 ; takes two ships from Van Tromp, 375 ; defeated by him, 379 ; obtains a victory over him, 381 ; a second ditto, 432 ; captures a French flotilla, 442 ; burns an Algerine flotilla, 464 ; takes a Spanish fleet at Santa Cruz, 517 ; dies while entering Plymouth harbour, 518 ; buried in Henry the Seventh's chapel, 519 ; his body afterwards disinterred by order of Charles, ix. 16, *note.*

Blount, Sir Thomas, partisan of Richard II., particulars of his execution, iii. 407, *note.*

———, Sir Charles, son of Lord Mountjoy, is distinguished by Elizabeth's notice, and thereby excites the jealousy of Essex, with whom he fights a duel, vi. 543.

Blood, Colonel, attempts to steal the crown, ix. 193 ; is not only pardoned by Charles II. but presented with an estate in Ireland, 194.

Boadicea, revolts against the Romans, i. 29 ; defeated by Suetonius, 31 ; her death, ibid.

Bocher, Joan, itinerant preacher, executed for heresy, in the reign of Edward VI. v. 324.

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Bohemia, John, king of, slain at the battle of Creci, iii. 141 ; his crest assumed by the prince of Wales, ibid.

Boleyn, Anne, her history, iv. 474 ; returns to England from France in 1522, 476 ; offer of marriage made to her by Percy, son of the earl of Northumberland, 477 ; her father made Viscount Rochfort, 478 ; Henry's passion for her, 479 ; he resolves to marry her, 495 ; she catches the sweating sickness, 511 ; her letter to Cardinal Wolsey, 513, *note ;* has an establishment at court, 521 ; seconds the endeavours of Wolsey's enemies to disgrace him, 531 ; Clement's breve against her cohabitation with the king, 568 ; accompanies Henry to France, 568 ; privately married to him, v. 5 ; is crowned, 12 ; and delivered of the Princess Elizabeth, 13 ; her indecent conduct on the death of Catherine, 62 ; her jealousy of Jane Seymour, ibid. ; she lives unhappily with Henry, 61 ; imprisoned on suspicion of an intrigue with Sir Henry Norris, 64 ; her incoherent behaviour in prison, 65 ; her trial, 69 ; a divorce pronounced by Cranmer, 73 ; she is beheaded, 77 ; Henry's cruelty towards her, 78.

———, Mary, eldest sister of Anne Boleyn, mistress of Henry VIII. iv. 474 ; married to William Carey of the privy chamber, 475, *note.*

Bolingbroke, Roger, chaplain to Humphrey duke of Gloucester, accused of sorcery, and executed, iv. 76.

Bolron, Robert, Sir T. Gascoign's agent, accuses him and others of a conspiracy against Charles II. ix. 466 ; publishes the "Papist's Bloody Oath, &c." 467, *note.*

Boniface VIII. endeavours to protect the Scots from Edward I. on the plea of the kingdom belonging to the papal see, ii. 561.

Bonner, bishop of London, commanded to preach according to the new service, v. 308 ; deprived by Cranmer and imprisoned, 310 ; deputed by Gardiner to conduct the prosecutions of heretics, 468 ; reprimanded for

want of zeal, 470; imprisoned, and disputes the titles of the new bishops, vi. 669.

Booth, Sir George, heads a rising in Cheshire against the parliament, vii. 581; trial of his son, Lord Delamere, x. 195.

Bothwell, earl of, hereditary admiral of Scotland, his previous history, vi. 130, *note;* taken into favour by Mary of Scots, and made one of her ministers, 131; he and Murray prevail upon her to pardon Maitland, 132; suspected of a criminal intimacy with the queen, 132, *note;* joins Murray and Maitland's conspiracy against Darnley, 135; they enter into a bond to murder him, 136; obtain Morton's subscription to the bond, and permission for him to return from exile, 137; Bothwell is accused of Darnley's murder, 142; tried and acquitted, 145; the parliament enter into a bond declaratory of his innocence, 147; he seizes on the queen's person and conducts her to Dunbar, 148; Mary consents to marry him, ibid.; he is divorced from his wife for that purpose, 150; is created duke of Orkney, and is married to her at Holyrood House, 151; Morton and other nobles associate against him, and form a plot to seize him and the queen, 154; he is permitted to retire, and Mary returns to Edinburgh, 155; he signifies, from Denmark, his consent to a divorce, 199; dies in Denmark, 352, *note.*

Bouvines, battle of, between John and Philip Augustus; John defeated, ii. 341.

Bradshaw, John, chosen to sit as president at the trial of Charles I. viii. 230; account of him, 231, *note;* takes an active part in the new government, 248; protests against Cromwell's expulsion of the parliament, 391; proposed as speaker in opposition to Lenthal, 446; becomes one of the leaders of the opposition, 447; his body disinterred and hung up at Tyburn, ix. 16.

Brandon, Sir Charles, created duke of Suffolk, iv. 376. See *Suffolk.*

———, Lord, tried as one of Monmouth's associates, but pardoned through the influence of his sister-in-law, one of James's mistresses, x. 195; had already been pardoned for murder, ibid.

Bread, asssize of, in the reign of John, ii. 305, *note.*

Breda, Charles II.'s declaration from, preparatory to his recall, viii. 617.

Bretagne, acquired by Henry II. by the marriage of his son Geoffrey to the heiress of Conan, earl of Richmond, ii. 146.

———, Anne of, Maximilian, king of the Romans, and other suitors, solicit her hand, iv. 288; assisted by Henry VII. against Charles VIII. 292; married by proxy to Maximilian, 295; but is afterwards compelled to marry the king of France, 296.

Bretwalda, meaning of the title, i. 86; Ælla first Bretwalda, 87; Ceawlin, second, ibid.; Ethelbert, third, 88; Redwald, fourth, 95; Edwin, fifth, 98; Oswald, sixth, 105; Oswio, seventh, 109; Egbert, eighth, 167.

Bridgeman, Sir Orlando, chief justice of the Common Pleas, succeeds Clarendon as chancellor, ix. 151; the great seal taken from him and given to Shaftesbury, 217.

Bristol, Digby, earl of, sent to Philip IV. to negotiate the match between the infanta, his sister, and Prince Charles, son of James I. vii. 238; sends a messenger te prevent the prince's journey to Spain, 243; Buckingham's jealousy of him, 247; Bristol is recalled to England, where he is detained a prisoner in his own house, 254; is accused of treason, 301; sent to the Tower, 307.

Bristol, earl of, openly reproaches Charles II. with his indolence, &c. ix. 91; impeaches Clarendon, 92; supports the Test Act although a Catholic

ix. 228 ; obtains a pension for himself and wife, with an exemption from the test, 229.

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Britric, king of Wessex, poisoned by his wife Eadburga, i. 166.

Bruce, Robert, his pretensions to the crown of Scotland, ii. 529 ; his claims set aside by Edward I. in favour of those of Baliol, 535.

————, grandson of the preceding, murders John Comyn of Badenoch, Baliol's nephew, ii. 613 ; reasons assigned by Scottish historians, 614 ; assumes the title of king, but is reduced to the state of an outlaw, 616 ; escapes to the island of Rathlin, 617 ; his wife imprisoned, 618 ; his brothers, Thomas and Alexander, executed, 619 ; takes Perth, iii. 19 ; defeats Edward II. at Bannockburn, 23 ; obtains the release of his wife, sister, &c. in return for the earl of Hereford, ibid. ; refused the title of king by Edward, ibid. ; settles the succession, ibid. ; proceeds to Ireland and joins his brother Edward, 27 ; returns, 28 ; refuses to acknowledge the truce with England proclaimed by the pope, 38 ; sends a force against Isabella at York, 41 ; concludes the truce, 43.

———, Edward, lands in Ireland, where he is joined by the O'Nials, iii. 27, is crowned, 29 ; joined by his brother, ibid. ; falls in battle against John, Lord Birmingham, 33.

Brunanburgh, splendid victory gained at, by Athelstan, i. 237.

Buckhurst, Lord, sent to allay the discontent of the Belgians against Leicester, vi. 487 ; imprisoned in his own house for preferring accusations against the earl on his return, 491.

Buckingham, duke of, asserts Gloucester's pretensions to the crown, iv. 233 ; confederates against Richard III. in favour of the earl of Richmond, 244 ; his pedigree, ibid. ; commences hostilities against Richard, 245 ; makes his escape in disguise, is taken and executed, 247.

————, Stafford, duke of, offends Wolsey, iv. 406 ; misled by the predictions of Hopkins, 407 ; arrested and tried, 408 ; executed, 409.

————, George Villiers, duke of, son of Sir Edward Villiers, account of his rise, vii. 137 ; becomes Somerset's rival, ibid. ; his power, 194 ; accompanies Prince Charles to Spain on his visit to the infanta, 242 ; is made duke, 245 ; his enemies at home take advantage of his absence, 249 ; he quarrels with the Spanish minister Olivarez, and disgusts the Spaniards by his conduct, ibid. ; determines to break off the prince's match, 251 ; procures the recall of Bristol, the English ambassador, 253 ; becomes popular on his return, for having opposed the match, and forms a coalition with the country party, 257 ; relates to parliament all the

transactions relative to the proceedings in Spain, 259; accused to James of forming a plot against him, 266; recovers the king's favour, 269; concludes a league between England and the United Provinces, 271; retains his influence over Charles after the death of his father, 283; he is governed by his favourite, the earl of Holland, 293; negotiates a treaty with Denmark, ibid.; forbidden by Richelieu to visit Paris, 294; the Commons resolve to impeach him, 301; charges brought against him, ibid.; he is made chancellor of Cambridge, 305; his defence against the charges, ibid.; Charles dissolves the parliament to prevent the reply of the Commons, 307; Buckingham's passion for Anne of Austria, 311; he appears before Rochelle, 321; makes a descent on the island of Rhè, ibid.; publishes a manifesto in defence of his proceedings, 322; his loss of troops, 324; Dr. Lamb, his physician, murdered by the mob, 338; prepares to take the command of a force to succour Rochelle, ibid.; is assassinated by Felton, 339; his character, 341; his debts paid by the king, 342; punishment of his assassin, ibid.

Buckingham, duke of, is banished from court by Charles II. and affects the character of a patriot, ix. 133; is challenged by Lord Ossory, 135, *note*, deprived of his offices, and ordered to surrender to the lieutenant of the Tower, 149; kills the earl of Shrewsbury in a duel, 163; is challenged by Coventry, 167; shows his enmity to the duke of York, ibid.; opens a negotiation with the duchess of Orleans, 169; sets up the duke of Monmouth as a competitor for the succession, 178; suggests to the king a divorce, ibid.; Louis bestows a pension on Lady Shrewsbury, Buckingham's mistress, 196; his extravagance and licentiousness, 198; proceedings against him and the other ministers, 243; is dismissed and joins Shaftesbury, 255.

Burgh, Hubert de, the justiciary, defeats the French fleet in the reign of Henry III., ii. 384; the exercise of the royal authority confided to him, 389; marries one of the Scottish princesses, 390; takes Bedford Castle from Fawkes, 392; his influence and power, 394; commanded to give an account of his wardship, &c. 395; imprisoned, 396; restored to his estates, 397.

Burghley, Lord (see *Cecil*), suggests to Elizabeth a marriage with the duke of Anjou, vi. 240; suspected by her of holding a secret correspondence with the queen of Scots, 347; tenders his resignation, on the queen's refusing to listen to the remonstrances of the council in her quarrel with Leicester, 403; resigns his place to his son, Sir Robert Cecil, 564; his death and character, 580.

Burgundy, John the Fearless, duke of, releases Isabella, queen of Charles VI., from Tours, iii. 509; enters Paris in triumph with her, after the massacre of the Armagnacs, 514.

————, Margaret, duchess of, furnishes her nephew, the earl of Lincoln, with assistance for Lambert Simnell, the pretended earl of Warwick, iv. 279; acknowledges the pretensions of Perkin Warbeck, 302.

Burhed, king of Mercia, assisted by Ethelwulf against the Welsh, i. 175; aided by Ethelred against the Danes, 183; negotiates with the Danes, 192; abandons his kingdom, 193; dies at Rome, ibid.

Burley, Sir Simon, favourite of Richard II., imprisons a burgher of Gravesend, iii. 286; his pardon solicited by the king, of the duke of Gloucester, 337; beheaded, 338.

Burnet, Bishop, defends polygamy, or divorce, in the case of Charles II. ix. 178; loses Charles's favour by his treachery towards Lauderdale, 263, *note;* his arguments with Lord Russell prior to the latter's execution, x. 72, *note;* revises Russell's written speech, 74; visits Holland, and

acquires great influence over the prince and princess of Orange, 277; pronounced a fugitive for refusing to return when cited to appear to answer the libellous publications traced to him, 289; composes a memorial supposed to be presented by the English Protestants to the States, 330.

Burton, Henry, preaches against the bishops, vii. 384; imprisoned in Guernsey, 387.

Butteler, Dame Eleanor, iv. 235.

Cabal, application of the term, ix. 157, *note*; members of the cabinet so called in the reign of Charles II. 197.

Cade, John, assumes the name of Mortimer, and excites an insurrection in Kent, iv. 98; defeats the royalists at Sevenoaks, and kills Sir Humphrey Stafford, 99; enters London, ibid.; the insurgents dispersed, 101; Cade killed, ibid.

Cadiz, Drake's expedition against, vi. 488; victory of the English at, 562; expedition against, in 1625, vii. 292.

Cadwan, king of North Wales, affords an asylum to Edwin, i. 96.

Cæadwalla, king of North Wales, joins with Penda against Northumbria, i. 103; vanquishes Osric, and puts Eanfrid to death, 105; defeated by Oswald and slain, 106.

————, prince of Wessex, flees from Centwin, i. 154; made king, 155; conquers the Isle of Wight, 156; puts to death the brother of Oswald, governor of the island, 157; enters Kent, and avenges the death of his brother Mollo, ibid.; goes to Rome to be baptized by the pope, 158; dies, ibid.

Cages, apartments in prisons, so called, ii. 619, *note*.

Calais, besieged by Edward III. iii. 141; surrenders to him, 148; retaken, in the reign of Mary, by the duke of Guise, v. 519; taken by the Spaniards in the reign of Elizabeth, vi. 557.

Caledonia, invaded by Agricola, i. 35; incursions of the natives against the Romans, 42.

Cambridge, Richard, earl of, forms a conspiracy against his cousin, Henry V. iii. 487; is executed, 489.

—— ——, university of, its dispute with James II. on his ordering them to admit a Benedictine monk, x. 251.

Camelodunum, Roman city, burnt by the Britons, i. 29.

Cameronians, a fanatic sect of the Scottish covenanters, x. 38; they excommunicate Charles II. 40.

Campeggio, Cardinal, sent by Clement VII. to England to conduct the proceedings relative to Henry VIII.'s divorce, iv. 510.

Campian, Edward, a Jesuit, comes over to England with Persons, vi. 334; his letter declaratory of the purpose of his mission, 336; is arrested, 337; examined before Elizabeth, 339; tried, 340; executed, 341.

Candles employed by Alfred to measure time, i. 212, *note*.

Canterbury, see, founded, i. 90; Archbishop Theodore establishes uniformity of church discipline, 120; the city besieged and destroyed by the Danes, 288; Archbishop Elphege put to death, ibid.

Canute, succeeds his father Sweyn, i. 294; quits England, ibid.; invades it again, 297; lays siege to London, ibid.; his contest with Edmund Ironside, 300; treaty of pacification, 303; succeeds Edmund, 305; sends away Edmund's children to the king of Norway, 306; kills Edwy, Edmund's brother, ibid.; marries Emma, Ethelred's widow, 307; slays the traitor Edric, ibid.; dismisses his Danish troops and establishes

guards, 308 ; gains the affections of his English subjects, 310 ; his laws, ibid. ; he visits Denmark, 312 ; conquers Norway, ibid. ; makes a pilgrimage to Rome, 313 ; his letter to the English, ibid. ; subdues the Scots, 316 ; his death, 317 ; succeeded by Harold Harefoot, 318.

Capel, Lord, royalist commander, his design of raising the royal standard in support of Charles I. frustrated, viii. 183 ; executed after the establishment of the commonwealth, 251.

Capitation tax, rates of, in 1513, iv. 358, *note.*

Caractacus, his resistance against the Romans, i. 24 ; delivered up to them, 26 ; liberated by Claudius, 27.

Carausius, his usurpation in Britain, i. 50 ; murdered at York by Allectus, who succeeds him, ibid.

Careless, Colonel, secretes himself with Charles II. in the royal oak, viii. 320.

Carendolet, secretary of the Spanish embassy, has private interviews with James I., in which he insinuates that Buckingham entertains sinister designs against him, vii. 266.

Carew, Sir Alexander, executed for engaging to surrender Plymouth to Charles I. viii. 83, *note.*

Carey, Dr., fined and imprisoned for a pamphlet supposed to have been written by Shaftesbury, ix. 313, *note.*

Carleton, Sir Dudley, becomes secretary of state under Charles I. vii. 351.

Carlisle, Thomas Merks, bishop of, defends Richard II. in the parliamentary proceedings against him, iii. 395 ; imprisoned, 396, *note ;* translated to Cephalonia in Samos, 408 ; pardoned by Henry IV., and made rector of Toddenham, 409.

Carthaginians, the Tin Islands discovered by, i. 12.

Cartismandua delivers up Caractacus to the Romans, i. 26.

Cartwright, leader of the Nonconformists in the reign of Elizabeth, imprisoned, vi. 532.

Casimir, Duke, leads an army of Germans to assist the Huguenots, vi. 300.

Cassilis, earl of, one of the deputation from the Scottish parliament to Charles II. after his father's execution, viii. 262.

Cassiterides, or Tin Islands, discovered, i. 12 ; the same as the Scilly Islands, 13.

Castlemaine, Lady (Mrs. Palmer), becomes the mistress of Charles II. ix. 64 ; her husband made earl of Castlemaine, ibid. *note ;* Charles introduces her to his queen, who falls into a swoon, 77 ; her influence at court, 78 ; is made duchess of Cleveland, 79.

————, Roger Palmer, earl of, ix. 75 ; accused by Oates, and sent to the Tower, 365, *note ;* tried and acquitted, 464 ; sent by James II. on an embassy to Rome, x. 206 ; recalled, 259.

Castles, dates of the erection of several, i. 455, *note ;* description of one, ii. 80, *note.*

Castro, Alphonso di, confessor to Philip II., condemns the persecution of heretics, v. 469.

Catesby, Robert, his history, vii. 40 ; plans the gunpowder plot, 41 ; discloses his intentions to Winter, ibid. ; who brings over Guy Faukes from the continent, 43 ; engages Percy and Wright as other accomplices, ibid. ; they commence their operations, 46 ; Catesby proposes a case to Father Garnet to satisfy the scruples of his confederates, 48 ; he adds four more associates, 52 ; and Sir Everard Digby 56 ; and Tresham, 57 ; undertakes to proclaim the heir-apparent on the plot being carried into effect, 59 ; reveals it to Greenway, a Jesuit, 60 ;

urged by Tresham to warn Lord Mounteagle, 62 ; pursued and slain, with Percy and the two Wrights, after Faukes's apprehension, 69.

Cathari, sect of fanatics in the reign of Henry II. ii. 226.

Catherine, daughter of Charles VI. of France, marries Henry V. iii. 524 ; marries Owen Tudor, iv. 60.

——— of Arragon, married to Arthur, eldest son of Henry VII. iv. 325 ; Arthur dies, and she is contracted to his brother Henry, 327 ; does not wish for the match, 335, *note ;* marries him on his accession, 345 ; her children, 473 ; commencement of Henry's coldness to her, 474 ; origin of the divorce, 480 ; her trial before the legates, 524 ; she is ordered to leave Windsor, and retires to Ampthill, 561 ; the divorce pronounced by Cranmer, v. 11 ; her death, 60 ; her funeral, ibid.

Catherine Howard. See *Howard.*

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Gloucester, Robert, earl of, natural son of Henry I. by his mistress Nesta, swears fealty to Stephen, ii. 66; takes him prisoner at the battle of Lincoln, 81; brings over his nephew (Henry II.) from Normandy, 89.

———, Gilbert de Clare, earl of, joins the party of the earl of Leicester against Henry III. ii. 444; one of those named by Henry to appoint a council, 455; his defection from Leicester, 461; aids Prince Edward to escape, 462; chosen their leader by the factious citizens of London, but submits to the king on condition of pardon, 470.

———, Thomas, duke of, youngest son of Edward III. iii. 317; plots against his nephew, Richard II. 321; marches with an army against London, 331; complains of being suspected of aspiring to the crown, 333; refuses to pardon Sir Simon Burley, 337; retires from the administration, 341.

———, Humphrey, duke of, brother to Henry V., appointed guardian of the kingdom, iii. 531; claims the regency, iv. 3; allowed only the title of president of the council, ibid.; marries Jacqueline of Bavaria, 13; quarrels with the duke of Brabant, her former husband, for the possession of her dominions, ibid.; formerly accused of incontinence with Eleanor Cobham, 16; acknowledges her as his wife, ibid.; quarrels with his uncle Beaufort, bishop of Winchester, 17; his zeal against the Lollards, 44; arrested on a charge of high treason, 81; dies, ibid.

———, Richard, duke of, brother of Edward IV., quarrels with his brother Clarence, and marries the widow of Edward, son of Henry VI. iv. 199; assists the duke of Albany against Berwick, 213; his conduct on the king's death, 221; arrests the lords Grey and Rivers, 223; conducts his nephew, Edward V., back to Northampton, 224; afterwards to London, 225; is made protector, ibid.; arrests Hastings, Stanley, &c. 227; Hastings is put to death, ibid.; causes the executions of Rivers, Grey, &c. ibid.; takes her second son from the queen, and sends him to the Tower, 229; Buckingham's exertions in his favour, 233; Gloucester accepts the crown, 236. See *Richard III.*

———, Henry, duke of, son of Charles I., sent to his sister the princess of Orange, viii. 387, *note;* his death, ix. 64.

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Gowrie, earl of, invites James VI. to his castle at Ruthven, and secures his person, vi. 357; arrested and executed as a traitor, 370.

Grafton, duke of, son of Charles II. and Lady Castlemaine, married by the king to Arlington's daughter, ix. 197.

Graham, of Claverhouse, repelled in his attempt to suppress the insurrection of the Covenanters, ix. 434.

Gray, John de, bishop of Norwich, appointed to the see of Canterbury by John, ii. 313; removed by Innocent III. in favour of Stephen Langton, 314; made lord deputy in Ireland, 318, *note,* and 322.

——, Sir Ralph, besieged by the earl of Warwick in Bamborough Castle, iv. 149; executed, 151.

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——, Lady Catherine (sister to the preceding), divorced from the eldest son of the earl of Pembroke, and privately married to the earl of Hertford, vi. 679; imprisoned by Elizabeth, and kept in the Tower till her death, ibid.

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Guader, Ralph de, earl of Norfolk, conspires against William the Conqueror, i. 493.

Gualo, the legate of Honorius III., excites the English against Louis VII. in his pretensions to the crown on the death of John, ii. 380; appointed guardian of Henry III. 387; returns to Rome, and is succeeded by Pandulph, 389.

Guesclin, Du, employed against Pedro the Cruel, of Castile, iii. 187; taken prisoner at the battle of Navarette, 189.

Guise, duke of, uncle to Mary queen of Scots, recalled from Italy by Henry II. after the defeat of the French at St. Quintin, v. 518; takes Calais from the English, 519; lays siege to Guisnes, ibid.; the government intrusted to him and the cardinal of Lorraine, by Francis II. vi. 47; plot of the Huguenots to murder him, the king, &c. 48; becomes one of the leaders of the Catholics against the Huguenots, 73; his followers kill a number of persons in an affray at Vassy, 74, *note;* defeats the insurgents in the battle of Dreux, 79; is assassinated by Poltrot, a Huguenot deserter, 86.

Guitmond, a Norman monk, refuses an English bishopric, i. 459.

Gunpowder-plot, first imagined by Catesby, vii. 41; the conspirators work at the mine, 47; they hire a cellar under the parliament-house, 49; new associates added to their number, 52; their designs suspected, 54; the execution of the plot delayed by the proroguing of parliament, 55; plan of operations, 58; the plot revealed to the Jesuit Garnet, 60; intimation of danger communicated to Lord Monteagle, 62; doubts of the con-

spirators, 66; they resolve to persevere, ibid.; Faukes detected in the cellar and arrested, 67; the other conspirators flee, 69; Catesby, Percy, and the two Wrights are slain, the others taken, ibid.; their examination, 70; trials, 71; and execution, ibid.; Garnet apprehended, 72; executed, 81. See *Catesby, Digby, Faukes, Percy, Tresham*, and *Winter*.

Guns, descriptions of those used at commencement of the 15th century, iv. 24, *note*.

Guthrie, a Scotch protesting minister, one of the compilers of the "Causes of God's Wrath," executed, ix. 49.

Gwin, Nell, mother of the first duke of St. Alban's, by Charles II. ix. 167.

Habeas Corpus Act passed, ix. 425; chiefly in consequence of Shaftesbury's exertions, ibid.

Hacket, a fanatic, believes himself John the Baptist, vi. 533; he and two other enthusiasts, Arthington and Coppinger, sentenced as traitors, 534.

Haco of Norway, sent by his father Harold Harfagre, to Athelstan, i. 239.

Hadrian, Emperor, visits Britain, i. 42; builds a military wall, ibid.

Hæretico comburendo, statute de, made in the reign of Henry IV. iii. 469; additional statute, 473; abolished in the reign of Charles II. ix. 309; *note*.

Hales, Serjeant, removed from the Commons by Hyde, by being made chief baron of the Exchequer, ix. 23.

Halidon Hill, battle of, Edward III. defeats the Scots, iii. 105.

Halifax, earl of, opposes the exclusion bill, ix. 481; address by the Commons, for his removal from the council, ibid.; proposes a bill of limitations, x. 4; publishes a tract concerning the succession, 10; dissuades the king from recalling the duke of York, 53; effects a reconciliation between the king and Monmouth, 84; his intrigues against the duke of York, 97; retained in office by James II. 120; opposes the establishment of a standing army, and the abolition of the Test Act, 187; removed from the council, 188; he, with Godolphin and others, advises James to remain, 356; commissioned to order him to quit Whitehall, 374.

Hamilton, marquess of, sent by Charles I. to Scotland, as commissioner, to suppress the covenant, vii. 421; dares not land, 431; advises the king to admit the reformers to his council, 468; becomes suspected of treason and flees, 499; is liberated, restored to the king's favour, and becomes a leader of the royalists, viii. 199; defeated by the parliamentary troops, and yields himself a prisoner to Lambert, 207; fined 100,000*l*. 250; executed, 252.

Hammond, Colonel, governor of the Isle of Wight, Charles I. committed to his custody, viii. 216; refuses to give him up to Eure, ibid.

Hampden, John, resists the assessment of ship-money, vii. 395; during the civil war proposes to besiege Charles in Oxford, viii. 17; slain in an action at Chalgrove, 21.

————, Mr., implicated in the Rye-house plot, x. 89; tried and fined, 90.

Hanging in chains first practised in the reign of Richard II. iii. 295, *note*.

Harclay, Sir Andrew, governor of Carlisle in the reign of Edward II., takes the earl of Lancaster prisoner, iii. 51; made earl of Carlisle, 55; executed for treasonable negotiations with the Scots, ibid.

Harcourt, count of, ambassador from France to the parliament, in the reign of Charles I. viii. 45.

Hardecanute succeeds Harold Harefoot, i. 323; orders the body of the latter

to be decapitated, 324; his generosity and magnificence, 326; dies very suddenly, ibid.

Harfleur, siege of, iv. 50; surrenders to the English, 51.

Harold Harefoot succeeds Canute, to the exclusion of his half brother Hardecanute, i. 318; puts Alfred, Ethelred's youngest son, to death, 321.

——— II., brother-in-law to Edward the Confessor, banished, i. 338; recovers his earldom, 341; his conquests in Wales, 347; suspected of a design against Edward, the king's nephew, 350; his pretensions to the throne, 351; made prisoner in Normandy, 352; compelled to swear fealty to William, 353; succeeds Edward, 359; the crown claimed by William of Normandy, 360; his brother Tostig invades England, 361; battle of Stamford-bridge, 363; Tostig and the king of Norway slain, 364; his generosity towards Olave, the king's son, ibid.; William lands, 365; battle of Hastings, 370; death of Harold and his brothers, 373; his sons invade England, 448.

——— Hardrada, king of Norway, assists Tostig against his brother Harold II. i. 361; lands in England, ibid.; slain at the battle of Stamford-bridge, 363.

Harrison, Colonel, sent to remove Charles I. from Hurst Castle, viii. 228.

———, Major-General, becomes leader of the Anabaptists, viii. 408.

Hastings, Danish pirate, lands in England, i. 214; his family made prisoners, 216; he retires to France and obtains Chartres, 217.

———, Lord, favourite of Edward IV. iv. 226; arrested and executed by Gloucester, 227.

Hatton, Sir Christopher, made chancellor by Elizabeth, vi. 492; his previous favour at court, 493.

Havre surrendered to the French by the earl of Warwick, vi. 88.

Hawkins, Sir John, opens a trade in slaves, in the reign of Elizabeth, vi. 480; makes an expedition to the West Indies, with Drake, which fails, and they both die, 559.

Haxey, Sir Thomas, a clergyman, condemned for bringing forward a bill for the regulation of the household of Richard II. iii. 358, *note*.

Hayward, dedicates his history of Richard II. to Essex, for which Elizabeth is desirous of imprisoning him, vi. 601, *note*.

Hazelrig, one of the leaders of the opposition, refuses to obey Cromwell's summons to the upper house, viii. 523; denounces Lambert for an attempt to subvert the parliament, 585; is one of those excepted from the bill of indemnity, ix. 11.

Heiresses, marriages of, i. 484.

Henderson, a Presbyterian minister, employed by the Scots to convert Charles I. viii. 136.

Hengham, Sir Ralph de, grand justiciary in the reign of Edward I., fined, ii. 608.

Henrietta Maria, youngest daughter of Henry IV. of France, Lord Kensington sent to negotiate a marriage between her and Charles, vii. 274; the treaty concluded, 275; married to Charles immediately on his accession, 284; her wish to apply to her brother, opposed by Richelieu, 471; her application to the pope, ibid.; seeks to flee from Westminster, 484; her terrors excited by the disturbed state of the kingdom, 491; is anxious to return with her mother to France, 492; sent by the king to Holland for her safety, 523; sends him supplies of arms, viii. 17; is impeached of high treason by Pym, 18; delivered of a daughter at Exeter, 61; her letter to Mad. de St. Georges, vii. 559; comes to England to prevent the duke of York's marriage with Clarendon's daughter, ix. 66; desists from

her opposition by Mazarin's advice, and receives the duchess, 67; dies at Colombe, near Paris, 190; had been privately married to Jermyn, earl of St. Alban's, 191; king of France's letter on the occasion of her death, 511.

Henry I., youngest son of the Conqueror, the portion assigned him by his father, i. 502; purchases part of the duchy of Normandy of his brother Robert, 518; assists Robert in retaining Rouen, ibid.; besieged by his brothers at Mount St. Michael, 521; recovers part of his possessions, ibid.; hastens to Winchester on the death of Rufus, ii. 2; is crowned, 3; his charter of liberties, ibid.; reforms his conduct, 5; marries Matilda, daughter of Malcolm III. 6; imprisons Flambard, bishop of Durham, 7; Robert claims the crown, 8; treaty between them, 9; Henry punishes the disaffected barons, 10; invades Normandy, 13; ecclesiastical affairs, 14; hostilities in Normandy terminated, by mediation of the pope, 21; account of Juliana, Henry's daughter, 23; his son William shipwrecked, 25; war renewed in Normandy, 29; death of Queen Matilda, 30; Henry marries Adelais of Louvain, ibid.; settles the crown on his daughter, Matilda (Maud), 31; quarrels with her husband, Geoffry of Anjou, 34; his administration of justice, 35; restrains the followers of the court from pillaging, 38; relieves his tenants, 40; his oppressive mode of raising money, 41; applies vacant benefices to his own use, ibid.; his disputes with the pope relative to the admission of legates, 44; promises obedience to Innocent II. 47; his death, 48; character, 49; policy, 50; suspicious, revengeful, &c. 51; his ministers, 53; his prejudice against the English, 55; riches, ibid.; buildings erected by him, 56.

——— II. (Plantagenet), eldest son of the empress Matilda, brought to England by his uncle Robert, earl of Gloucester, ii. 89; his history, 93; adopted by Stephen, ibid.; is crowned, 100; his administration, 101; applies to Adrian IV. to absolve him from his oath to comply with his father's will, 104; his character, 105; rewards Archbishop Theobald, 108; at his suggestion takes Thomas Becket as his minister, ibid.; makes him chancellor, 109; claims Toulouse in right of his queen, 112; takes Cahors, 113; retires into Normandy, ibid.; makes peace with Louis VII. 114; raises Becket to the see of Canterbury, 117; becomes jealous of him, 119; attacks the privileges of the clergy, 126; reconciled with Becket, 129; compels him and the bishops to subscribe to the constitutions of Clarendon, 131; endeavours to effect his ruin, 136; recalled from Normandy by a rising in Wales, 143; obliged to retire to Chester, 145; puts the Welsh hostages to death, ibid.; obtains Bretagne from Conan, earl of Richmond, by marrying his son Geoffry to the earl's daughter, 146; offers to join the opponents of Alexander III. 150; appeals to him against the Constitutions of Clarendon, ibid.; concludes peace with Louis VII. 152; causes his eldest son, Henry, to be crowned, 153; becomes reconciled with Becket, 155; his perplexity on the archbishop's assassination, 164; his expedition to Ireland, 165; first project of his invasion, 177; permits Strongbow to proceed thither, 181; the earl surrenders to him the city of Dublin, 182; Henry lands at Waterford, 183; his sovereignty acknowledged by the Synod of Cashel, ibid.; he returns to England, 184; intrusts the command to Hugh de Lacy, 185; his treaty with Roderic, king of Connaught, 186; makes his son John governor of Ireland, 188; becomes reconciled with the pope, 191; concessions in favour of the clergy, 192; account of his sons, 194; they retire from court with their mother, 195; the queen taken and imprisoned, 196; rebellion of his sons, aided by Louis VII. ibid.; Henry's successes against the confederates, 198; returns in consequence of the invasion of the Scots, and rebellions at home, 200; makes a pilgrimage to Becket's tomb, ibid.; informed of the capture of

the king of Scots, 202 ; proceeds to the relief of Rouen, 205 ; pardons his sons, who swear fealty to him, 206 ; submission of the king of Scots, ibid. ; Henry returns to England with his son Henry, 207; chosen umpire between the kings of Castile and Navarre, 225 ; punishes a sect of fanatics called Cathari, 226 ; aids the Christians in Asia, 228 ; prepares an expedition for the recovery of Jerusalem, 230 ; second rebellion of his sons, 231 ; plots against his life, ibid. ; death of his son Henry, 232 ; of Geoffry, ibid. ; the king takes Adelais, daughter of Louis, and betrothed to his son Richard, 233 ; consents to a peace with Louis, 235 ; dies, 236; account of his children, ibid. ; his will, 239.

Henry III., eldest son of John, crowned at Gloucester, ii. 378 ; the barons are defeated at Lincoln, 383 ; the French fleet defeated, 385 ; Louis quits the kingdom, 386 ; dissension amongst the ministers, 388 ; king of age, 391 ; his disputes with Scotland, 398 ; with Wales, 402 ; the sons of Griffith become his vassals, 404 ; loss of Poitou, ibid. ; expedition to Guienne, 405 ; defeated by Louis at Taillebourg, 409; his transactions with the popes, 411 ; his policy towards the see of Rome, 413 ; papal concessions, 419; endeavours to place his second son, Edmund, on the throne of Sicily, which is offered him by Innocent IV. 420 ; his disputes with the barons, 422 ; takes Peter des Roches into favour, instead of Hubert de Burgh, afterwards obliged to remove him, 427; marries Eleanor of Provence, and takes her uncle William de Valence into favour, 428 ; favours his wife's relations, and his mother Isabella's children, 429; opposition of the barons, 430 ; Henry quarrels with the earl of Leicester, 431 ; takes Guienne from his brother Richard, and bestows it on his own son, Edward, 432, *note ;* the barons conspire, and assemble in parliament in armour, 433 ; obliged to submit to conditions from them, ibid. ; acts of the committee of reform, 434 ; articles of reform, 435 ; quarrels among the barons, 439; Henry resumes the government, 441 ; applies to Alexander IV. to release him from his oath to comply with the provisions of Oxford, 443 ; rebellion of the earls of Leicester and Gloucester, 445 ; the queen insulted while attempting to join her son at Windsor, 446 ; Henry endeavours to take the earl of Leicester, 447; the dispute between the king and Leicester submitted to the award of Louis IX., who decides in favour of the former, ibid. ; the decision rejected by Leicester, and riots in consequence at London, 448 ; Henry, aided by the borderers, attacks many of the barons' fortresses, 450 ; takes Leicester's son prisoner, ibid. ; defeated at Lewes by Leicester, and surrenders himself prisoner to him, 453 ; his son Edward and his nephew Henry retained as hostages, 454 ; he himself kept in custody by Leicester, who exercises the royal authority, ibid. ; the queen raises an army in Flanders to oppose Leicester, but it is gradually disbanded, 457; Leicester's stipulations preparatory to prince Edward's release, 459; his popularity, 460 ; he subdues the borderers, 461 ; is driven into Wales, 464 ; Prince Edward, after defeating Leicester's son, defeats and kills the earl himself at the battle of Evesham, 466 ; Henry recovers his regal power, 467; congratulated by Clement IV. 471 ; dies at Westminster, 476 ; his character, ibid. ; his children, 503.

——— IV. (see *Lancaster, Henry, duke of*), is crowned, iii. 401 ; proceedings of the new parliament, 402 ; the lords appellants degraded, 403; adjudges Richard to perpetual imprisonment, 405 ; insurrection of the lords appellants, 406 ; Richard's death, 410 ; the king's inglorious expedition against the Scots, 417; expedition against Owen Glendower, 419; a pretended Richard II. 420 ; one Ward personates Richard II. in Scotland, 422 ; battle of Homildon Hill, 423 ; rebellion of the Percies, 426 ; Hotspur and Douglas defeated at the battle of Shrewsbury, 431 ; submission and pardon of Northumberland, 433 ; insurrection in York-

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Henry V., his character when prince of Wales, iii. 455; he succeeds his father, 475; insurrection of the Lollards, 477; Henry claims the crown of France, 482; his demands, 483; recalls his ambassadors, 484; prepares for war, ibid.; dismisses the French envoys, 486; the conspiracy of the earl of Cambridge, Sir Thomas Grey, &c. discovered, 487; they are executed, 488; Henry lands in Normandy, and reduces Harfleur, 489; advances to Maisoncelles, 494; the battle of Azincourt, 498; he returns to England, 502; is visited by the Emperor Sigismund, 505; the earl of Huntingdon defeats the French fleet, 506; Henry and the emperor confer with the duke of Burgundy at Calais, 507; the king returns, 508; lands in Normandy, 509; in his absence the duke of Albany and Earl Douglas cross the borders, 511; execution of Sir John Oldcastle, 512; king reduces Lower Normandy, 513; besieges Rouen, 515; which surrenders to him, 518; conferences at Meulant, 520; after the negotiations are frustrated, Henry takes Pontoise, 521; an armistice concluded after the murder of the duke of Burgundy, 523; Henry is made regent of France, ibid.; marries Catherine, daughter of Charles VI. 524; duke of Clarence defeated at Beaujé, 526; Henry returns to France, 528; and reduces Meaux, 529; his queen joins him at Bois de Vincennes, ibid.; his illness, 530; death, 531; character, 532; funeral, 533; his widow marries Owen Tudor, iv. 60.

——— VI. succeeds his father at the age of nine months, iv. 2; crowned in his eighth year, at Westminster, 43; afterwards at Paris, 44; returns to England, ibid.; death of his uncle. the duke of Bedford, 48; famine, 50; Harfleur taken by the English, ibid.; Pontoise lost, 51; negotiations with France, 52; the instructions to the English envoys, 53, *note;* armistice, 55; truce with James II. of Scotland, ibid.; Henry's education, under Alice Botiller, 61; under the earl of Warwick, 62; he demands to be admitted to a share in the government, 63; marries Margaret of Anjou, 79; arrest and death of his uncle, Gloucester, 81; cedes Anjou and Maine, 85; loses Rouen, 87; and Normandy and Guienne, 88; public discontent, 89; duke of Suffolk impeached and banished, 92; Cade's rebellion, 98; the duke of York returns from Ireland, 102; proposed as heir-apparent, 103; his rebellious conduct, 105; ineffectual attempt made to recover Guienne, 107; birth of Prince Edward, 108; the king's mental incapacity and York's ascendancy, ibid.; York made protector, 110; Henry recovers, 111; taken captive by York at the battle of St. Alban's, 113; relapses, and York is again made protector, 115; recovers again, 116; calls a council at Coventry, where York swears fealty to him, 117; reconciliation effected between the Lancastrians and Yorkists, 118; fresh dissensions, 119; Lancastrians defeated by the earl of Salisbury at Bloreheath, 120; Henry disperses the Yorkists, 122; they are attainted, ibid.; York's appeal to the nation, 123; Warwick lands in Kent, and collects an army, 124; Henry made prisoner, 125; York lays claim to the crown, 126; a compromise made that he be acknowledged heir-apparent, 130; the Lancastrians raise an army and defeat the Yorkists at Wakefield, where the duke is slain, 131; the Lancastrians defeated at Mortimer's Cross, 132; the queen defeats the earl of Warwick at St. Alban's, by which Henry is liberated, 133; Edward, duke of York, proclaimed king, 134; the crown secured to Edward by the victory of Towton, and Henry escapes

to the borders, 141; the queen obtains succours from France, 145; Henry finds an asylum in Merionethshire, 148; joins the Lancastrian party in another effort, 149; taken prisoner and conducted to the Tower, 151; his son marries Warwick's daughter, Anne, 177; he is liberated and restored to his crown by Warwick, 181; Clarence joins Edward on his return to England, 184; Henry's partisans defeated at the battle of Barnet, and Warwick slain, 187; Henry sent back to the Tower, ibid.; Margaret lands in England, ibid.; the Lancastrians defeated at Tewkesbury, and the queen made prisoner, and her son slain, 189; Henry is put to death, 192.

Henry VII. (see *Richmond, Henry duke of*), his title to the crown considered, iv. 261; confines the young earl of Warwick in the Tower, 263; enters London after his victory at Bosworth, ibid.; is crowned, 265; settlement of his crown, 266; he marries the Princess Elizabeth, daughter of Edward IV. 270; dispensation for the marriage obtained from Innocent VIII. ibid.; Lord Lovell's insurrection, 272; Henry makes a progress through the kingdom, 273; truce for three years with Scotland, 274; birth of Prince Arthur, 275; an impostor personates the earl of Warwick in Ireland, 276; and is proclaimed Edward VI. 278; Henry removes the real Warwick from the Tower, ibid.; imprisons the queen dowager, ibid.; the pretended Warwick is joined by the earl of Lincoln, 281; the insurgents defeated, and Lincoln slain at the battle of Stoke, 282; the queen crowned, 283; peace with Scotland prolonged, and it is proposed that James III. should marry the queen dowager, 286; Henry acts as mediator between Charles VIII. and the duke of Bretagne, 289; sends assistance to Anne of Bretagne, 292; the English obtain a victory over the Flemings at Dixmude, ibid.; insurrection in Northumberland, 293; prepares for war against Charles VIII. 297; lands in France, 298; concludes a peace, 299; Perkin Warbeck personates the duke of York, second son of Edward IV. 300; Henry endeavours to seize his person, 301; his partisans executed, 303; Henry sends Sir Edward Poynings to Ireland, as deputy, 305; James IV. of Scots and Warbeck invade England, 310; insurrection in Cornwall, 311; Henry makes peace with Scotland, 313; advances against Warbeck, who lands from Ireland, 314; takes his wife prisoner, 315; Warbeck submits, ibid.; is obliged to read his confession publicly, 316; a second pretended earl of Warwick, 318; Warbeck and Warwick executed, 319; treaties with France, 320; with Scotland, 321; James IV. marries Margaret, Henry's eldest daughter, ibid.; Prince Arthur marries Catherine of Arragon, 324; the prince dies, ibid.; Prince Henry contracted to his brother's widow, 328; is made to protest against the contract, ibid. *note;* death of the queen, 329; Henry conceives the design of marrying the queen dowager of Naples, ibid.; afterwards Margaret, duchess of Savoy, 330; Philip of Castile, and his queen, obliged to land at Falmouth, ibid.; conditions extorted from him by Henry, ibid.; he compels him to give up the earl of Suffolk, 333; forms a project of marrying Philip's widow, Juana, 334; but is obliged to abandon it, 335; his oppressive methods of raising money, ibid.; his sickness and death, 338; his character, 339; charities, 341.

——— VIII., his accession, iv. 343; marriage and coronation, 345; orders the arrest of Empson and Dudley, ibid.; his passion for amusements, 347; aids Julius II. against France, 353; claims from Louis XII. the restoration of the English territories in France, and sends an expedition to Guienne, ibid.; besieges Terouenne, 360; defeats the French at the Battle of Spurs, 362; remonstrances made to him by James IV. of Scots, which lead to a rupture, 364; James invades England, 366; the Scots defeated, and James killed at the battle of Flodden, 371; Tournay sur-

renders to Henry, 372; his sister Mary marries Louis XII. 378; Maximilian offers him the duchy of Milan, and to adopt him as his successor, 388; Henry enters into a league with France against the Turks, 390; becomes a candidate for the imperial crown, 399; is visited by the new emperor, Charles V., at Canterbury, 402; his interview with Francis between Ardres and Guisnes, 403; visits the emperor at Wael, 405; accusation and execution of the duke of Buckingham, 406; league between Henry, the emperor, and the pope, against Francis, 414; the latter lays an embargo on English shipping, 417; Charles pays a second visit to England, and is contracted to the Princess Mary. 418; Henry sends an army into France, under the earl of Surrey, 419; Francis, in retaliation, excites dissensions in Ireland, 421; and Scotland, ibid.; Wolsey's embarrassments in raising money, 422; an invasion of the Scots repelled by the earl of Surrey, 425; the duke of Suffolk invades France, but he and the imperial general soon after disband their forces, 429; the French victorious in Italy, 431; Wolsey again aspires to the papacy, 432; the French are driven out of Italy, 433; Francis made prisoner at Pavia, 437; dissension between Henry and Charles, 441; peace with Francis, 442; treaty of Madrid, 446; origin of the Reformation, 449; he attacks Luther's doctrines, 466; is declared defender of the faith, 467; answers Luther's apology, 468; his children by Catherine of Arragon, 473; his mistresses, 474; Mary Boleyn, ibid.; commencement of his attachment to Anne Boleyn, 475; forms the design of obtaining a divorce, 480; consults divines on the subject, 486; sends Wolsey to France, 487; resolves to marry Anne Boleyn, 488; unpopularity of the divorce, 495; he applies to Clement VII. to grant it, 496; defies Charles, 500; project for obtaining a papal bull for the divorce, 503: Clement demurs to granting it, 504; commission to examine the validity of the dispensation, ibid.; Cardinal Campeggio appointed legate, 508; the sweating sickness, 510; Henry's devotion during the calamity, 511; Campeggio arrives in England, 513; exhorts Catherine to retire to a convent, 515; Henry's speech in justification of his conduct, 516; questions touching the divorce proposed to canonists, 518; Anne Boleyn rules at court, 521; the suit for the divorce heard by the legates, 523; the court adjourned, 528; decline of Wolsey's influence, 529; his disgrace, 532; favours shown to him by Henry, 535; he is arrested, 539; his death, 541; the new cabinet, ibid.; Sir Thomas More made chancellor, 542; attack on the immunities of the clergy, 543; the earl of Wiltshire, Anne Boleyn's father, sent to Clement to expedite the divorce, 545; opinions of the universities as to its legality, 548; letter to the pope to extort his consent, 551; his reply, 552; Henry begins to waver. 555; Cromwell's rise, ibid.; he confirms the king in his resolution, 557; Henry acknowledged as head of the church, 559; annates or first-fruits abolished, 565; the clergy forbidden to make constitutions, 566; breve against the cohabitation of Henry and Anne, 568; Henry has an interview with Francis, 569; he marries Anne Boleyn, v. 3, 5; Cranmer made archbishop, 5; solicits permission to proceed with the divorce, 9; pronounces the divorce, 11; birth of the Princess Elizabeth, 13; Clement declares the divorce unjust, 18; the church of England separates from that of Rome, 19; statutes relative to ecclesiastical affairs, 20; and to the succession, 22; opposition to the king's assumption of supremacy in the church, 35; prosecutions, 38; execution of Bishop Fisher, 41; and Sir T. More, 45; papal bull against Henry, 47; nature of the supremacy, 49; Cromwell made vicar-general, 51; commission issued to the bishops, 52; dissolution of the lesser monasteries. 55; death of Catherine, 59; Anne Boleyn imprisoned, 64; her trial, 69; divorce, 73; execution, 77; Henry reconciled to his daughter Mary, 79; death of the duke of Richmond, Henry's natural son, 81; insurrection in the

north, 82; demands of the insurgents, 85; their leaders executed, 87; Cardinal Pole appointed to negotiate with Henry, and to reconcile him to Rome, 90; a reward offered for his apprehension by Henry, ibid.; dissolution of the greater monasteries, 91; monastic property vested in the king, 96; consequences of this measure, ibid.; six new bishoprics established, 99; Henry makes advances to the German reformers, which they reject, 103; compiles a book of "Articles," 104; envoys arrive from the Lutheran princes, but return without effecting anything, 107; Henry condemns Lambert to death for heresy, 118; arrests Cardinal Pole's brothers, who are executed, 121; bull issued against him by the pope, 123; Pole endeavours to excite the emperor and king of France against Henry, ibid.; who orders the countess of Salisbury, Pole's mother, to be arrested, and two years afterwards to be executed, 126; recalls Bishop Gardiner, 127; obtains the enactment of the statute of the Six Articles, 129; Cranmer's alarm at it, 131; endeavours to persuade the king to withdraw the article against celibacy of the clergy, ibid.; Henry solicits the hand of the duchess dowager of Longueville, 136; Anne of Cleves proposed to him by Cromwell as a wife, 137; his disappointment at her person, ibid.; marries her, 138; Cromwell's disgrace and arrest, 139; he is attainted, 143; Henry's contrivance for procuring a divorce, 144; the marriage pronounced void by a committee of prelates and divines, 145; Cromwell's execution, 148; executions of both Catholics and Protestants, 149; Henry marries Catherine Howard, 150; she is accused of incontinency, 151; examined by the archbishop, 153; her supposed paramours executed, 154; her relations imprisoned and punished, 155; she is condemned without trial, 156; and executed, 158; the reading the scriptures restrained, 159; publication of a new doctrinal work, the "Erudition of a Christian Man," 160; Wales incorporated with England, 162; affairs in Ireland, 164; Kildare's rebellion, 165; he submits, 166; is imprisoned with his five uncles in the Tower, and they are all beheaded, 167; Ireland raised into a kingdom, 169; war with Scotland, 177; Sir T. Wharton defeats the Scots, 178; a marriage proposed between Henry's son, Edward, and the infant princess of Scotland, Mary Stuart, 179; it is broken off, 183; the earl of Hertford sent to invade Scotland, ibid.; progress of the war, 184; Henry's dissension with Francis, 185; he concludes a treaty with the emperor, ibid; restores his daughter Mary to the succession, 186: he and Charles invade France, 187; he lays siege to Boulogne, 188; Charles and Francis conclude peace by the treaty of Crespi, and Henry returns to England, 189; the French fleet insults the English coast, 190; peace concluded with Francis, 191; Henry's poverty, ibid.; various taxes and loans to supply the demands of the treasury, 193; adulteration of the coin, 194; Cranmer's enemies accuse him, but are imprisoned, 196; the queen, Catherine Parr, incurs Henry's displeasure by her favour towards the reformers, 198; his illness, 203; disgrace of Gardiner, and the arrest of the Howards, 206; execution of the earl of Surrey, 208; the duke of Norfolk attainted, 209; Henry's death, 211; the king's will, 212; character, 217; obsequiousness of the House of Commons towards him, 221; influence of the crown in ecclesiastical matters, 223; extraordinary statutes passed in this reign, 225; prosecutions for treason, 227; his funeral, 236; had accepted offer to murder Cardinal Beaton, 243.

Henry the Lion, duke of Saxony, marries Matilda, daughter of Henry II. ii. 236.

———, Prince, second son of Henry II., marries Margaret, daughter of Louis VII. ii. 152; crowned, 153; crowned again with his wife, 194; demands possession of Normandy, and goes over to his father-in-law,

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Henry d'Almaigne, son of Richard, earl of Cornwall, and king of the Romans, retained as a hostage, with his cousin Edward, by the earl of Leicester after the battle of Lewes, ii. 454; assassinated at Viterbo by Simon and Guy de Montfort, 475.

——— II. of France succeeds his father Francis I. v. 242; declares war against Edward VI. 291; Boulogne surrendered to him, 304; refuses to contract Mary of Scots with Edward, 305; makes peace, 306; contracts his daughter Elizabeth to Edward, 330; tries to prevent Mary's succession to the throne, 369.

——— III. of France (see *Anjou*) succeeds his brother Charles IX. vi. 290; sends Bellievre to remonstrate against the execution of Mary of Scots, 451; Guise makes himself master of the capital, and Henry orders him and his brother to be assassinated, 544; Henry is assassinated by Clement, a Dominican friar, 545.

——— IV. of France (see *Navarre*) succeeds Henry III. vi. 545; the Catholic nobles compel him, on his accession, to engage not to suffer the reformed religion, ibid.; supplied with money and troops by Elizabeth, 550; abjures the reformed religion, and thereby offends her, 551; refuses to give up Calais to her, 556; which is taken by the Spaniards, 557; makes peace with Spain, 576; publishes the edict of Nantes, 578; sends Sully on an embassy to James I. vii. 8; expostulation with James on the severity used against the Catholics, 86; enters into a league for the expulsion of the Austrian power from the Netherlands, 152; is assassinated by Ravillac, ibid.

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———, Vice Admiral (earl of Torrington), escapes to Holland, where he has been promised the command of the Dutch fleet, x. 318.

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———, Humphrey de Bohun, earl of, disobeys the order of Edward I. to proceed with a reinforcement to Guienne, ii. 594; a new constable appointed, 595; his son surrenders his estates, 603.

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Hereward, son of the lord of Baurn, returns from Flanders, and plunders Peterborough, i. 462; besieged by William I. 463.

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Holstein, Adolphus, duke of, offers himself as a suitor to Queen Elizabeth, vi. 66; order of the Garter bestowed on him, ibid.

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Hooper, John, his objections on being named to the see of Gloucester by Edward VI. v. 326; burnt for heresy in the reign of Mary, 468.

Hotham, John, bishop of Ely, sent by Edward II. to treat with the Irish, iii. 27.

———, Sir J., refuses to surrender up Hull to Charles I., and is proclaimed a traitor, vii. 530; executed with his son, viii. 83, *note.*

Hotspur, Henry, son of the earl of Northumberland, fights at the battle of Homildon Hill, iii. 423; marries the sister of Sir Edmund Mortimer, 425; joins Douglas and the Scots, and marches into Wales, 426; he and his father send a defiance to Henry IV. 429; slain at the battle of Shrewsbury, 431.

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———, Sir Edward, lord admiral, son of the earl of Surrey, commands a fleet against France, iv. 356; vows to revenge the death of Sir Thomas Knyvet, ibid.; killed while blockading Brest, 359.

———, Lord Thomas, brother of the preceding, succeeds him as admiral, iv. 359; commands jointly with his father the English at the battle of Flodden, 368; created earl of Surrey, 375. See *Surrey*.

———, Philip, earl of Arundel. See *Arundel*.

——— of Effingham, Lord, commands the fleet sent to oppose the Spanish Armada, vi. 502.

———, Lord, of Escrick, employed by the prince of Orange in promoting his intrigues in England, discovered and imprisoned, ix. 254; committed to the Tower on a charge by Fitz-Harris, x. 31; maintains a correspondence between the Rye-house conspirators and the Whig leaders, 64; sent to the Tower, 66; becomes witness against Lord Russell, 67.

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Hunsdon, Lord, defeats Leonard Dacres, who makes a rising in favour of Mary of Scots, vi. 219; appointed to command the army intended for the queen's defence, in case of the Spaniards effecting an invasion, 500.

Huntley, marquis of, sentenced to death for his religion by the Scottish parliament, at the petition of the kirk, viii. 262.

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478; enjoys the confidence of Charles II. ibid.; advises the restoration of episcopacy, ix. 19; is made earl of Clarendon, 25. See *Clarendon.*

Hyde, son of the preceding, made earl of Rochester, x. 99. See *Rochester.*

Jacqueline of Bavaria, countess of Hainault, her history, iv. 11; marries Humphrey, duke of Gloucester, 12; her possessions claimed by her former husband, ibid.; escapes from Ghent, 14; leaves the duke, and marries Frank of Bursellen, 16.

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——— II. of Scotland, killed by the bursting of a cannon, iv. 145, *note;* Edward IV. deceives his widow by a pretended offer of marriage, ibid.

——— III. of Scotland quarrels with Edward IV. iv. 211; his patronage of artists, 212; arrests his own brothers, the duke of Albany and the earl of Mar, ibid.; several of his favourites executed by the rebellious barons, and James himself conveyed a prisoner to Edinburgh, 213; liberated by his brother Albany, 214; his eldest son affianced to Anne de la Pole, 251; forms a truce with Henry VII. 274; proposed that he shall marry the queen dowager of England, 286.

——— IV. of Scotland receives Perkin Warbeck, iv. 308; declares war against Henry VII., but is pacified, and offers to marry the Princess Margaret, 321; their nuptials celebrated, 324; claims from Henry VIII. the jewels bequeathed by her father to his consort, 363; demands justice for the death of Andrew Barton, ibid.; favours the French, 364; invades England, 366; slain at the battle of Flodden, 371.

——— V. of Scotland succeeds his father James IV. while an infant, iv. 385; shakes off the authority of his father-in-law, the earl of Angus, and drives him into England, v. 170; solicits his uncle Henry VIII.'s daughter Mary in marriage, 171; marries Madeleine, daughter of Francis I., who dies shortly after, 172; marries Mary, duchess dowager of Longueville (daughter of the duke of Guise), 173; enters into negotiations with Francis and Charles V. against Henry, ibid.; refuses to shake off the papal authority, to which he is advised by Henry, through his ambassador, Sir R. Sadler, ibid.; refuses an interview proposed to him by Henry, 176; hostilities commenced, and the Scots defeat the English. 177; James defeated by the duke of Norfolk, 178; dies soon after, just after the birth of his daughter Mary, 179.

——— VI. of Scotland, son of Darnley and Mary Stuart, his birth, vi. 126; crowned while an infant, 161; assumes the government, which the regent Morton is obliged to resign, 348; Morton regains his power as head of the council, ibid.; by the advice of d'Aubigni, his favourite, asserts his independence, and arrests Morton as the murderer of his father, 349; listens to the overtures of Creighton, a Scottish Jesuit, who proceeds to France to consult with the duke of Guise, &c., on James's interests, 355; it is proposed that he and his mother shall be joint king and queen, ibid.; Philip II. sends him a sum of money by Creighton, 356; he is invited by the earl of Gowrie to his castle, and detained prisoner, 357; recovers the royal authority, 360; new consultations held by Guise and his friends in France, who propose that they and James shall invade England at the same time to release Mary, 362; James punishes Gowrie and his adherents, 370; sends Gray to England to negotiate for Mary's liberation, 372; his insincerity proved by the private negotiations of his am-

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———, Shane, son of the earl of Tyrone, claims the chieftaincy of Ulster, vi. 315; visits Queen Elizabeth, ibid.; rebels, ibid.; is assassinated, 316; his name and dignity extinguished by act of parliament, ibid.

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————, earl of, Mary, queen of Scots, committed to his custody, and he is made to engage that she shall be put to death on the first attempt to rescue her, vi. 237 ; appointed lord high steward on Norfolk's trial, 266 ; is called upon to confirm the judgment of Mary, though not at her trial, 704.

————, earl of, mortally wounded in a duel with the duke of Buckingham, ix. 163 ; his wife reported to have held the duke's horse at the time, in the dress of a page, ibid. *note ;* a pension granted her by Louis XIV. 196.

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Simier, agent of Anjou, in favour with Elizabeth, vi. 302.

Simnel, Lambert, presented to the lord deputy of Ireland as Edward Plantagenet, earl of Warwick, iv. 276 ; proclaimed as Edward VI. 278 ; joined by the earl of Lincoln, 279 ; lands in Furness, 280 ; defeated at the battle of Stoke, 282 ; pardoned, and made a scullion in the royal kitchen, 283.

Skelton, ambassador from James II. to the States, offends both them and the prince of Orange, x. 277 ; recalled from Paris by James, for countenancing Louis's threatening message to the States, and committed to the Tower, 325 ; is made governor of the Tower on the removal of Sir Edward Hales, 357.

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Slingsby, Sir H., tried and condemned for attempting to corrupt the fidelity of the garrison at Hull, viii. 532.

Somerset, duke of, surrenders Rouen and the rest of Normandy to Charles VII. iv. 87 ; returns from France, and is received into favour by Henry VI. 102; imprisoned in order to satisfy the duke of York, 106; liberated, 111 ; slain at the battle of St. Alban's, 113.

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————, duke of, takes sanctuary in the church after the battle of Tewkesbury, and put to death, iv. 190.

————, Edward Seymour, duke of (earl of Hertford), appointed protector and guardian to Edward VI. v. 233 ; removes the earl of Southampton from the chancellorship, 239; is made independent of the council, 240 ; concludes treaties with the murderers of Cardinal Beaton, and plans a marriage between Edward VI. and the young queen of Scots, 245 ; invades Scotland, 247 ; defeats the Scots at Pinkey, and returns to England, ibid. ; signs the warrant for his brother's (Sir T. Seymour) execution, 277 ; his address to the Scots, 280 ; seeks to make peace with Scotland, but foiled by the council, 292 ; his conduct excites enmity, 293 ; a party formed against him by Warwick, 295 ; abandoned by his secretary, 296 ; accused and sent to the Tower, 299 ; charges brought against him, 302 ; his submissive acknowledgment, ibid. ; liberated, 303 ; fresh dissensions between him and Warwick, 328 ; he is arrested, with many of his friends, 332 ; depositions against him, 335 ; his trial, ibid. ; condemned, 337 ; executed, 338.

————, Carr, earl of, accidentally introduced to the notice of James I. while a youth, vii. 127 ; the king's attachment to him, ibid. ; made Viscount Rochester, 128 ; employs Sir T. Overbury as his assistant in public business, ibid. ; marries Frances Howard, the divorced countess of Essex, 133 ; succeeds Suffolk as chamberlain, 136 ; his influence declines on Villiers being taken into the king's favour, and he is arrested on suspicion of being accessary to the death of Overbury, 138 ; endeavours to escape a trial, 143 ; is convicted, but pardoned, 144 ; his petition to Charles for the recovery of his property refused, 145.

————, duke of, refuses to introduce the papal nuncio at court, in the reign of James II. x. 258.

Southampton, earl of, the command of the cavalry in Ireland bestowed on him by Essex, contrary to Elizabeth's command, vi. 596 ; made prisoner with him, 613 ; his trial, ibid. ; defence, 615 ; is retrieved, after Essex's execution, but detained in the Tower, 622 ; liberated and restored to his estates by James, vii. 6.

Southwold Bay, battle of, in which the duke of York defeats the Dutch fleet under De Ruyter, ix. 210.

Southworth, a Catholic clergyman, executed by Cromwell, viii. 424.

Spenser, Hugh, account of, iii. 44 ; banished with his son, 47 ; returns

48; created earl of Winchester, 53; surrenders Bristol to Isabella, queen of Edward II. 67; is executed, ibid.

Spenser, Hugh, son of the preceding, marries the daughter of the earl of Gloucester, iii. 44; claims the estate of John de Mowbray as forfeit to him, and thereby excites the enmity of the lords of the Marches, ibid.; the earl of Lancaster demands from Edward II. the banishment of the Spensers, 46; Spenser returns from banishment, and appeals against his sentence, 48; his petition granted, 53; arrested by the earl of Leicester, 68; executed, 70.

————, Henry, bishop of Norwich, puts down the insurgents in the reign of Richard II. iii. 294; engages to serve against France, and takes Gravelines and Dunkirk, 299; on his return is accused in parliament of having been bribed by France, 300.

————, Lady, liberates the young earl of March and his brother, in the reign of Henry IV. iii. 434.

Squires, a soldier, executed for a pretended attempt to poison Queen Elizabeth, vi. 581.

Stafford, Thomas, grandson of the duke of Buckingham, lands at Scarborough, and publishes a proclamation against Queen Mary, v. 508; surrenders to the earl of Westmoreland, 509.

————, William Howard, viscount, committed to the Tower with Lords Powis, Petre, Arundel, and Belasyse, ix. 365; his trial, 484; his defence, 489; is condemned, 494; his speech to the House of Lords, ibid.; the sheriffs object to mitigating his punishment, 499; his execution, 501; his attainder reversed, x. 146; his letter to Lady Arundel, Appendix, 513.

Stamford, earl of, escapes trial for his share in Monmouth's rebellion by the prorogation of parliament, x. 196.

Stanley, Lord, father-in-law to the earl of Richmond (Henry VII.), favours shown to, and mistrust entertained of him, by Richard III. iv. 255.

————, Sir W., executed for abetting the designs of Perkin Warbeck, iv. 304.

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Stayley, a Catholic banker, tried and executed on a charge of treason connected with Oates's plot, ix. 383.

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Strafford, Thomas Wentworth, earl of, succeeds Lord Falkland, as governor of Ireland, vii. 400; designs to claim Connaught for the crown, 405; brings Mountnorris to trial, 408; defends himself, before the king, from the charge of despotic measures, 409; created earl of Straf-

ford, 439; impeached of high treason, 462; his trial, 471; charges brought against him, 473; bill of attainder passed against him by the Commons, 478; his defence, 479; Charles's efforts to save him, 480; Strafford's letter to him, 486; plan proposed by the king to save his life, 488, *note*; his execution, 489.

Stratford, archbishop of Canterbury, accused by Edward III. of having intercepted the supplies, iii. 121; refused admission to the parliament, 122.

Straw, Jack, a priest, a leader of the insurgents in Wat Tyler's rebellion, iii. 286.

Strongbow, Richard, earl of Strigul, engages to assist Dermot, king of Leinster, ii. 181; arrives in Ireland, ibid.; marries Dermot's daughter, and succeeds him, ibid.; yields up Dublin, &c., to Henry II. 183; his death, 187.

Stuart, Lord James, natural brother to Mary of Scots, appointed by her one of her chief ministers, vi. 90; created earl of Murray, 98. See *Murray*.

———, Lady Arabella, cousin to James I., introduced to the court of Elizabeth, vi. 476; James proposes to marry her to the duke of Lennox, and acknowledge him as his presumptive heir, 583; plan to marry her to the cardinal Farnese, and support her pretension to the throne on the death of Elizabeth, 638; a pension granted to her by James, vii. 120; privately married to William Seymour, ibid.; her husband sent to the Tower, and herself committed to the custody of Sir T. Parry, ibid.; attempts to escape, but is detected and imprisoned in the Tower, where she dies insane, 122.

Suffolk, Michael de la Pole, earl of, chancellor in the reign of Richard II., impeached, iii. 322; escapes to France, 330; dies at Paris, 334.

———, William de la Pole, earl of, succeeds the earl of Salisbury as commander of the siege of Orleans, iv. 24; besieged in Jargeau, 34; made prisoner, 35; negotiates the marriage of Henry VI. and Margaret of Anjou, 77; created duke, 90; charges against him, 91; impeached, 92; banished, 95; captured at sea, 96; and executed, ibid.

———, Edmund, earl of, second son of William, duke of, takes shelter at the court of his aunt Margaret, duchess of Burgundy, iv. 332; settles in the dominions of the archduke Philip, 333; given up by him to Henry VII. ibid.; sent to the Tower, ibid.

———, Brandon, duke of, marries Mary, sister of Henry VIII. and widow of Louis XII. of France, iv. 380; invades France, 429; disbands his army, 430.

———, the marquis of Dorset (father of Lady Jane Grey), made duke of, v. 332; endeavours to excite a rebellion in Warwickshire, and is pursued by the earl of Huntingdon, 421; imprisoned, ibid.; he and his brother, Sir Thomas Grey, executed, 433.

———, earl of, lord treasurer in the reign of James I., and Somerset's father-in-law, tried for peculation, vii. 195.

Sully, duke of, sent by Henry IV. as ambassador to James I. vii. 8.

Sulyard, Edward, his sufferings for recusancy, vi. 710.

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Sunderland, earl of, succeeds Williamson as second secretary of state, ix. 412; assists in forming the new council in 1679, ibid.; espouses the interests of the prince of Orange, 469; attempts to overcome Charles's opposition to the bill of exclusion, x. 2; he with Essex and Temple dismissed from office, 29; is reconciled with the duke of York, 57;

obtains a place in the cabinet on James's accession, 119; forms a secret cabal with Catholics against Rochester, 121; advocates James's projects, 188; made president of the council on Halifax's removal, 198; obtains a pension from Louis XIV. for opposing an alliance against France, 202; pretends to be converted to Catholicism, 260; dissuades James from requiring the arrest of suspected persons, 338; is removed from office, 340; publishes a vindication of his conduct in 1689, Appendix, 415.

Surrey, earl of, he and his son, Lord Thomas Howard, advance against the Scots, iv. 368; gain the battle of Flodden, in which James IV. is slain, 371; created duke of Norfolk, 375.

——— (see *Howard, Lord Thomas*), Charles V. gives him the command of his fleet on his departure from England, iv. 418; he succeeds the earl of Kildare in Ireland, 419; heads an expedition against France, 420; marches into Scotland to oppose the regent Albany, 425; Albany abandons the war, 427; accused of aspiring to the hand of the Princess Mary, v. 206; arrested, ibid.; executed, 208.

Sussex, earl of, lord deputy of Ireland, recovers two districts, which he forms into King's and Queen's County, v. 535; is one of the commissioners to adjudge the cause between Mary of Scots and the regent Murray, vi. 180; sent against the insurgents under Westmoreland and Northumberland, 212; enters Scotland, 220.

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———, son of Earl Godwin, outlawed by Edward the Confessor, i. 332; murders his cousin Beorn, 333; pardoned by Edward, 334; rebels, with his father and brother, 338; banished, ibid.; his pilgrimage and penance, 341.

Sydney, Algernon, son of the earl of Leicester, offers his services to the Dutch, ix. 117; obtains assistance from Louis XIV. to enable his party to oppose the government, 125; is one of the leaders in the Rye-house plot, x. 64; imprisoned in the Tower with Lord Russell and Wildman, 78; his trial, ibid.; execution, 88; character and public life, ibid.

——— (afterwards earl of Romney), forms an association, who invite over the prince of Orange, x. 316.

Syndercombe, Miles, employed by Colonel Sexby to assassinate Cromwell, viii. 513; tried and condemned, but found dead in his bed, 515.

Taafe, Lord, sent by Ormond to solicit aid from the duke of Lorrain, viii. 346.

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Temple, Sir Richard, a concealed royalist, demands that the Scotch and Irish members, &c., withdraw, in Richard Cromwell's parliament, viii. 566.

Temple, Sir W., sent to the Hague, to propose that the States should unite with England and Spain against France, ix. 159; recalled after negotiating the triple alliance, 204; concludes a treaty at the Hague, between England and the States, against France, 340; sent to Nimeguen to guarantee certain places to Sweden, 341, *note*; recalled by Charles to succeed Coventry as minister of state, 411; suggests the plan of a new council, ibid.

Terouenne, besieged by Henry VIII. iv. 361.

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Theobald, archbishop of Canterbury, exiled by Stephen, ii. 92; enjoys the favour of Henry II. 109; recommends Thomas Becket to him, ibid.

Throckmorton, Sir Nicholas, tried as an accomplice in the duke of Suffolk's rebellion, and acquitted, v. 432; is ambassador at the court of France, and aids Arran's escape to England, vi. 39; urges Mary to ratify the treaty with Elizabeth, 57; excites by his intrigues a civil war in France, 73; imprisoned in the castle of St. Germain, 88; liberated, ibid.; sent as envoy to Scotland, where he instigates the lords to rebel against Mary, 103; is eager to promote a marriage between Mary and Norfolk, 197.

————, Francis, son of Sir John, apprehended and tried for a conspiracy to assist the foreign Catholics to invade England, for the purpose of liberating Mary of Scots, vi. 367; executed, 369.

Thurloe, Cromwell's secretary, threatened with an impeachment, after the protector's death, viii. 568; purchases the forbearance of his enemies by furnishing Willis with intelligence, 580.

Thurstan, archbishop of York, excites the barons to repel the Scots, ii. 71.

Thwinge, Sir Robert, heads a secret association, to oppose the papal power, in the reign of Henry III. ii. 417.

————, Mr., Sir T. Gascoign's nephew, executed for treason, ix. 466.

Tonge, Dr., his publications against the Jesuits, ix. 347; employs the celebrated Titus Oates to forge a plot of the Jesuits, 348; presents a copy of the plot to the king, 349.

Torture, manner of, in ancient times, ii. 97; instruments of, used in the Tower, vi. 688; torture of the boot, ix. 428, *note*.

Tory, origin of the name, viii. 360, *note*.

Tostig, earl of Northumberland, brother to Harold II., invades England, i. 361; joined by Harold Hardrada, king of Norway, ibid.; battle of Stamford-bridge, 363; he and his ally are slain, 364; marries Judith, the daughter of Baldwin, earl of Flanders, ibid. *note*.

Tournay, besieged by Edward III. iii. 119; surrenders to Henry VIII. iv. 372.

Towneley, John, his sufferings for recusancy, vi. 711.

Traquaire, earl of, left by the other ministers to manage the affairs of Scotland, vii. 417; surrenders Dalkeith to the Covenanters, 430; Charles dissatisfied with his conduct, 436, *note*.

Traylebaton, justices of, ii. 608.

Treasons, statute of, iii. 211.

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Tregean, Francis, his sufferings, vi. 332.

Tresham, Francis, joins Catesby's conspiracy, vii. 57; provides a ship to convey Guy Fawkes to Flanders, on the execution of the plot, 58;

entreats that his brother-in-law, Lord Mounteagle, may be warned of the danger, 62 ; sends an anonymous letter to him, ibid.; doubts entertained of him by his companions, 65.

Tresilian, Sir Robert, accused with the archbishop of York, duke of Ireland, &c., of treason, iii. 330 ; executed, 334.

Trial by ordeal, ii. 219 ; by wager of battle, 223; in the court of chivalry, ibid.; by grand assize, 225.

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Tunstal, bishop of Durham, prosecuted on a charge of insurrection, v. 344

Turberville, one of the witnesses against Lord Stafford, account of, ix. 487, the prisoner's objection to his evidence, 491.

Turenne, commands the allied army against the Spaniards and the duke of York, viii. 520; defeats Don Juan and the duke, 535.

Turketul, Chancellor, charges the Scots at the battle of Brunanburgh, i. 237 ; account of him, 251 ; restores the abbey of Croyland, of which he becomes abbot, 252.

Turner, Sir James, sent into the west of Scotland to levy fines, &c., among the Covenanters, ix. 138 ; he is made prisoner by the insurgents, ibid.

Tweeddale, earl of, succeeds Rothes as high commissioner of Scotland, ix. 281 ; offers the "indulgence" to the clergy, 283.

Tyler, Wat, heads the rebellion in the reign of Richard II. iii. 286 ; killed by Walworth, the lord mayor, 292.

Tyndal, William, prints his version of the Bible in the Netherlands, v. 110; Archbishop Warham orders all copies of it to be given up, ibid.

Tyrconnel, Richard Talbot, earl of, informed against by Oates, ix. 364 ; appointed lieutenant-general of Ireland by James II. x. 239 ; is made lord deputy on Clarendon's being recalled, 241 ; aims at rendering Ireland independent of England in the event of the prince of Orange's succeeding to the crown, 242; solicits permission to hold a parliament, but is refused by James, who is taught to suspect his measures, 243 ; Bonrepaus's letter explaining Tyrconnel's plans, Appendix, 414.

Tyrone, Hugh, son of the baron Dungannon, created earl of, by Elizabeth, vi. 593 ; proclaims himself the O'Neil, and rebels against the English, 594; defeats them, 595 ; Essex sent against him, 596; they enter into a truce, 598 ; he is carried by Mountjoy to England, vii. 169; returns to Ireland, and afterwards escapes to the continent, 173.

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Valence, Aymar de, earl of Pembroke. See *Pembroke.*

Valenciennes, besieged and taken by Louis XIV. ix. 310.

Vane, Sir H., junior, attaches himself to Pym's party, vii. 457 ; purloins from his father's cabinet an important document, furnishing the grounds of a charge against Strafford, 475 ; solicits the aid of a Scottish army, viii. 26 ; his abilities, 39; brought to trial after the Restoration, ix. 38 ; his undaunted demeanour at the bar, 39 ; executed on Tower Hill, 41.

Van Nesse, Dutch admiral, defeats Sir Robert Holmes, ix. 205.

Van Tromp, Dutch admiral, he and De Witt defeat the Spanish fleet, vii. 437; his rencontre with Blake in the Downs, viii. 375 ; his fleet dispersed by a storm, 378; resigns his commission, 379; takes the command again and obtains a victory over Blake, 380; is defeated by him, 381 ; cannonades Dover, 432 ; killed in an engagement with Monk in the Texel, 434.

Van Tromp, escapes with the remainder of the fleet, after Opdam's vessel blows up, in the engagement of June 3, 1665, ix. 106.

Vatteville, Spanish ambassador, opposes Charles II.'s marriage with Catherine of Braganza, ix. 70; proposes to him a Protestant princess, 72; forcibly takes precedence of the French ambassador, at the public entry of the Venetian ambassador, 73.

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Udal, a Puritan minister, imprisoned for writing the "Demonstration of Discipline," and dies in confinement, vi. 532.

Venables, General, his expedition to the West Indies, viii. 465; fails in his attack on Hispaniola, but takes Jamaica, ibid.

Venice, state of, at the commencement of the sixteenth century, iv. 348; league of Cambray formed against, 349; Julius II. consents to a peace, 350.

Venner, a fanatical wine-cooper, excites an insurrection in London at the beginning of the reign of Charles II. ix. 24.

Uhtred, earl of Northumbria, son-in-law to Ethelred, murdered by Thurebrand, the Dane, i. 297; account of, ibid. *note.*

Villeins, the charters of emancipation granted them by Richard II. repealed by parliament, iii. 295.

Unitarians, burnt for heresy in the reign of James I. vii. 191; their origin in England, viii. 453, *note.*

Vorstius succeeds Arminius in his professorship at Leyden, vii. 154; Winwood, the English ambassador, accuses him to the States and James I. of impiety, ibid.; James publishes a "Declaration" against him, 155; he is ordered to quit Leyden, and refute the doctrines imputed to him, 156; his writings condemned by the Synod of Dort, 157.

Vortigern invites over the Saxon chiefs, Hengist and Horsa, i. 68.

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Ussher, Archbishop, summons a synod, which publishes a declaration against the toleration of Catholicism, vii. 397; commanded by Wentworth, the lord deputy of Ireland, to frame a canon authorizing the articles of the English church, 403; his plan of episcopal government proposed to be adopted at the Restoration, ix. 23.

Wager of battle, i. 487; trial by, ii. 223; in the court of chivalry, ibid.

Wagstaffe, Sir Joseph, heads the royal insurgents, and proclaims Charles II. at Salisbury, viii. 457; surrenders, 458.

Wakefield, battle of, the Yorkists defeated by the Lancastrians, and the duke of York slain, iv. 132.

Wakeman, Sir G., physician to the queen of Charles II., tried for conspiracy, ix. 441; he and his companions acquitted, 442.

Walcher, bishop of Durham, slain in a tumult, i. 496.

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Wallace, William, account of, ii. 552; heads the Scots outlaws and insur-

gents, 553; defeats Earl Warenne, 555; assumes the title of guardian of Scotland, and summons a parliament at Perth, 556; defeated by Edward III. at Falkirk, 558; becomes a fugitive, ibid.; betrayed to Edward by Sir John Monteith, and executed, 571; estimate of his character and actions, 573.

Waller, Edmund (the poet), forms a plot to unite Charles I. and his parliament, viii. 18; he is apprehended, 19; saves his life by his submission, but is heavily fined, 20.

———, Sir William, account of, viii. 22; defeated by Lord Wilmot, 23.

Walloons, introduced into England by Brewer, ix. 146, *note;* five hundred families of, settle in Ireland, 291.

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Walters, or Barlow, Lucy, mother of the duke of Monmouth, dismissed by Charles II., and shortens her life by her profligacy, viii. 479.

Waltheof, Earl, defends York against the Conqueror, i. 450; enters into a conspiracy against him, 493; betrayed by his wife, 494; executed, 495.

Walworth, mayor of London, kills Wat Tyler, iii. 292.

Warbeck, Perkin, lands at Cork, and gives himself out as Richard, duke of York, second son of Edward IV. iv. 300; the earl of Desmond declares in his favour, ibid.; he is acknowledged in France and received by the duchess of Burgundy, ibid.; his parentage, 301; Henry VII. endeavours to obtain possession of him, 302; he is betrayed by his associates, ibid.; several of his partisans executed, 304; attempts to land near Deal, 305; returns to Flanders, 306; is received in Scotland by James IV., 308; marries Lady Catherine Gordon, 309; invades England, 310; James makes peace with England, and Warbeck retires to Cork, 314; lands in Cornwall, ibid.; advances against Henry, but flees from the battle to the sanctuary at Beaulieu, ibid.; his submission, 315; escapes, is retaken, and reads his confession publicly, 316; committed to the Tower, 317; executed, 319; the question argued as to his being really the duke of York or an impostor, 581.

Wardships, establishment and nature, i. 483; further account of, ii. 350.

Warenne, Earl, escapes with Henry III.'s brothers at the battle of Lewes, ii. 453; defeated by Wallace, 555.

Warham, archbishop of Canterbury, resigns the chancellorship, and is succeeded by Wolsey, iv. 391.

Warner, confessor to James II. x. 259, *note.*

Warwick, earl of, succeeds the duke of Exeter as guardian to Henry VI. iv. 62.

———, earl of, surnamed the *King-maker*, the custody of the sea bestowed on him by Henry VI. iv. 118; captures part of the Lubeck fleet, 119; retires to Calais, 122; superseded by the dukes of Exeter and Somerset, ibid.; lands with an army in Kent, 124; takes the king prisoner, and conducts him to London, 125; defeated by the queen at St. Alban's, 132; gains the battle of Towton, which secures the crown to Edward IV. 141; besieges Sir Ralph Grey in Bamborough Castle, 149; his brother, Lord Montague, made earl of Northumberland, 152; his discontent at the favour shown by Edward to his queen's family, 156; his brother George, bishop of Exeter, promoted to the see of York, 157; the earl's hospitality, 158, *note;* he is sent to treat with Louis XI. at Rouen, 159; suspected of being attached to the Lancastrians, 160; reason of his irritation against Edward, 161, *note;* his daughter Isabella marries the duke of Clarence, 163; he and Clarence detain Edward a prisoner, 166; they flee after the defeat of the insurgents at the battle of

Erpingham, 173; are received by Louis XI. 176; Warwick's daughter, Anne, married to Prince Edward, son of Henry VI. 177; restores Henry, 180; slain at the battle of Barnet, 186.

Warwick, Edward Plantagenet, son to the duke of Clarence, created earl of, by Edward IV. iv. 263; imprisoned in the Tower by Henry VII. ibid.; personated by Lambert Simnel, 276; and again by Ralph Wulford, 318; arraigned and executed, 319.

———, Dudley, Viscount Lisle, created earl of, v. 235; accompanies the protector, Somerset, in his expedition against Scotland, 247; defeats the insurgents in Ket's rebellion, 290; become the head of a party against Somerset, 295; forbids obedience to him, 296; accuses him of misdemeanours, ibid.; opposes the restoring any authority to the episcopal courts, 301; made lord high admiral, 304; his eldest son marries Somerset's daughter, Anne, 328; fresh dissensions between him and Somerset, ibid.; their reconciliation, 329; he procures the general wardenship of the Scottish marches, 331; created duke of Northumberland, ibid.; Somerset and his friends arrested, 332. See *Northumberland.*

Waterford, the synod of, condemns the secret treaty concluded by Glamorgan, viii. 146.

Watson, Catholic missionary, writes in favour of James I.'s succession to the throne, but is neglected by him, and induced to enter into a plot to wrest from him concessions in favour of the Catholics, vii. 11, and *note;* is apprehended, 14; and executed, 22.

Welles, Sir Robert, heads an insurrection against Edward IV., and is killed at the battle of Erpingham, iv. 173.

Wessex, kingdom of, founded by Cerdic, i. 79; Cuichelm and Cynegil's attempt to assassinate Edwin, king of Northumbria, 99, 152; Coinwalch dethroned by Penda, 110, 153; battle of Wodensbury, 136; the king of Wessex rendered tributary to Mercia, 138; the Mercians defeated by Cuthred, ibid.; kings Ceolric, Ceolwulf, 150; Cynegils, and Cuichelm, 151; battle at Cirencester against Penda, 152; Coinwalch, ibid.; he abjures paganism, ibid.; defeats the Britons, 153; Sexburga, his widow, ibid.; an aristocracy formed, 154; Centwin, ibid.; Cædwalla, ibid.; his conquests, 155; takes the Isle of Wight, 156; Ina, 158; his code of laws, ibid.; dies at Rome, 169; Æthelheard, ibid.; Cuthred, ibid.; the independence of Wessex secured by him, 163; Sigebyrcht, ibid.; Cynewulf, 164; he is murdered by Cyneheard, Sigebyrcht's brother, ibid.; Brihtric, 166; Egbert, 167; he subdues the Britons, 168; and Mercia and Northumbria, 169; invasions of the Danes, 170; Egbert's death, 171; Ethelwulf, ibid.; division of his dominions among his sons, 178; Ethelbald, 179; Ethelbert, 180; Ethelred, 182; Wessex invaded by the Danes, 184; Alfred the Great, 189; Edward, 222.

West Indies, Penn and Venables' expedition against Hispaniola, viii. 465; its failure, 466; Jamaica ceded to the English, ibid.

Westminster, church of, built by Edward the Confessor, i. 356; the abbey built by Henry III. ii. 476.

Westmoreland, earl of, brother-in-law to the duke of Norfolk, joins the earl of Northumberland in attempting to liberate Mary, queen of Scots, and exciting an insurrection in her favour, vi. 207; they take possession of Hartlepool, and solicit the aid of the Catholic gentry, 215; they flee into Scotland, 216.

Weston, Sir Richard, chancellor of the Exchequer, made earl of Portland, vii. 353; denounced by Sir J. Elliot as an enemy to the commonwealth, ibid.

Wexford, massacre at, by Cromwell's troops, viii. 276.

Weyland, chief justice of King's Bench, in the reign of Edward I., abjures the realm, ii. 607; the option given to him to do so, or stand his trial, ibid. *note.*

Wharton, Lord, one of the four lords committed to the Tower in 1677, ix. 305.

Wheat, price of, in 1258, ii. 433, *note.*

Whig, origin of the appellation, viii. 222, *note;* first bestowed on the Covenanters, ix. 139, 460; that and the term "Tory" adopted by the respective parties, ibid.

White, Thomas, a secular clergyman, publishes the "Grounds of Obedience and Government," viii. 270.

Whitelock, appointed one of the commissioners of the great seal, after the death of Charles I. viii. 247; advises Cromwell to place Charles on the throne on certain conditions, 387.

Whitgift, Archbishop, prepares three articles as a test of orthodoxy, vi. 326.

Wickham, William, bishop of Winchester. See *Winchester.*

Wight, Isle of, conquered by Cædwalla, king of Wessex, i. 156; the brothers of Arvald put to death by him, ibid.

Wilfrid, bishop of York, i. 122; deposed by Archbishop Theodore, 123; restored by Aldfrid, 126; assists Cædwalla, the banished prince of Wessex, 155; receives from him a grant of land in the Isle of Wight, 156.

William I. (see *Normandy, William, duke of*), account of his father, Robert II. i. 426; William's birth, &c. 427; marches to Dover after the battle of Hastings, 428; burns the suburbs of London, 430; tumult at his coronation, 431; measures adopted by him for the protection of the English, 434; his kindness towards Edgar Etheling, 435; rewards his officers, ibid.; returns to Normandy, 437; insurrections of the English, 440; William returns to England, 443; reduces Exeter, ibid.; Edwin's rebellion, 445; William lays siege to and pillages York, 446; Danish invaders, 448; William takes York by assault, and lays waste Yorkshire and Durham, 451; Malcolm ravages the north of England, 454; William bestows all places of trust on the Normans, 456; besieges Hereward, 462; and takes Ely, 464; subdues Scotland, 465; his riches, 470; favours the Normans, 471; rebellion of the Norman barons, 492; imprisons his brother Odo, 497; frustrates Canute's projected invasion, ibid.; war between him and his son Robert, 499; William invades France, 500; his last illness, 501; death, 503; funeral, ibid.; character, 504; attachment to the chase, ibid.; the New Forest formed by him, 507; his regard for religion and the church, ibid.; his conduct in ecclesiastical matters, 508; famine and pestilence during his reign, 510.

——— Rufus, advised by his father, on his death-bed, to repair to England, i. 502, 513; chosen king, 514; imprisons Morcar, &c. ibid.; conspiracy formed against him, 515; he banishes Odo, 516; invades Normandy, 518; attempt upon Rouen, ibid.; makes peace with his brother Robert, 519; renews the war in Normandy, 521; opposed in Le Maine, 524; war with Scotland, 526; Malcolm's submission, ibid.; William attempts to repel the Welsh, 529; Mowbray's rebellion, 530; William's rapacity, 532; advancement of Ralf Flambard, 533; conspiracy against William, 534; keeps the bishoprics vacant, 535; compels Anselm to accept the see of Canterbury, 536; his debaucheries, 537; persecutes Anselm, 538; is reconciled with him, 543; is killed in the New Forest, 544; his character, 545; buildings, 546.

———, son of Robert of Normandy, protected from Henry I. by his uncle, Helie de St. Saen, ii. 18; by Fulk of Anjou, 19; by Louis, and

Baldwin, earl of Flanders, ibid. ; marries Louis's sister-in-law, and made earl of Flanders, 29 ; his death, 33.

William, eldest son of Henry I., shipwrecked with his sister, ii. 25 ; his vicious character, 26.

———— II. of Sicily, marries Joan, daughter of Henry, ii. 237 ; his bequests to Henry, ibid.

———— Longsword, natural son of Henry II. ii. 237.

————, king of Scotland, joins Prince Henry, son of Henry II., in his attempt to obtain the kingdom, ii. 196 ; taken prisoner, and confined in the castle of Falaise, 206; does homage to Henry, ibid.; is released, 207.

———— III. and his consort Mary, proclaimed king and queen, x. 408.

Williams, bishop of Lincoln, and lord keeper, appointed Bacon's successor in the latter office, vii. 227 ; threatened with a prosecution by parliament, 265 ; deprived of the great seal, which is bestowed on Sir Thomas Coventry, 296 ; information filed against him in the Star-chamber, 378 ; fined and imprisoned, 379 ; made archbishop of York, 515 ; impeached by the Commons, with eleven other prelates, ibid.

Willis, Sir Richard, his singular treachery towards Charles II. and singular stipulations with Cromwell, viii. 529 ; refuses to meet Charles at Calais, 580.

Willoughby, Sir F., governor of Dublin, secures the castle against the insurgents, vii. 524.

Wilmot, Lord, made earl of Rochester, viii. 457. See *Rochester.*

Winchelsea, Robert de, archbishop of Canterbury, resists the exactions of Edward I. from the clergy, and retires to a parsonage, ii. 593 ; the earl of Hereford and Norfolk act in concert with him, 595 ; the primate reconciled with Edward, 596.

Winchester, a monastery, &c. founded by Coinwalch, i. 153 ; the city sacked by the Northmen, 180 ; the minster built by Edward, son of Alfred, 229 ; synod in 1139, ii. 77 ; the city besieged by the empress Matilda, 86 ; plundered and set on fire, ibid.

————, Henry, bishop of, brother of King Stephen, ii. 64 ; summons Stephen before a synod at Winchester, 77; Matilda intrusted to him, 78; joins her, 82 ; defends his conduct before the synod at Westminster, 88 ; deprived of his legatine authority, 92.

————, William Wickham, bishop of, condemned to lose his temporalities, iii. 202.

————, Henry Beaufort, bishop of. See *Beaufort.*

————, the statute of, revived by Edward I. ii. 608.

Windebank, secretary, impeached by the Commons for treason, saves himself by escaping to France, vii. 462.

Winter, Thomas, arranges a plan for an invasion by the Spaniards, vii. 9 ; is the first to whom Catesby reveals his designs, 41 ; expresses his horror of the plot, but is persuaded to enter into it, 42 ; repairs to Flanders to consult Velasco, the Spanish ambassador, ibid. ; engages Guy Faukes as an associate, 44; his brother Robert joins the conspirators, 49; he is informed of the mysterious letter received by Lord Monteagle, 63; remains with Percy to superintend the operations in London, 66; is made prisoner on the discovery of the plot, 69; executed with the other conspirators, 71.

Witenagemot, account of, i. 403; its authority, 405.

Witte, de, Dutch admiral, he and Van Tromp destroy a Spanish fleet under Oquendo, vii. 437; engagement between him and Blake, viii. 379.

Witte, pensionary of Holland, takes the command of the fleet and proceeds to the relief of the Dutch merchantmen at Bergen, ix. 116; enters into a negotiation with Louis XIV. 119; vows revenge against the English for burning one hundred and fifty merchantmen and the town of Brandaris, 125; sends his brother with De Ruyter to the Nore, 142; who advances up the Thames and Medway, 143; he is assassinated by the mob in Holland, 231.

Wolsey, Cardinal, his first rise to preferment, iv. 382; named cardinal by Leo X. 387; his power, 391; wealth, 392; character, 394; his foreign politics, 396; his hopes on Henry's aspiring to ths imperial crown, 399; resentment toward the duke of Buckingham, 406; arbitrates between Charles V. and Francis I. 414; aspires to the papacy on the death of Leo X. 416; his difficulties in raising money for the war against France, 422; aspires to the papacy on the death of Adrian VI. 431; his attempts to raise money defeated, 439; orders all copies of Luther's writings to be delivered up, 466; goes to France to negotiate with Francis, 487; promises to unite a French princess to Henry, 493; his perplexity with regard to Henry's divorce, and his opposition to his wishes, 506; after the failure of Campeggio's mission, Anne Boleyn becomes his enemy, 529; his disgrace, 533; he retires to Esher, 536; afterwards to Yorkshire, 538; is arrested for treason, 539; his death, 541.

Worcester, marquis of. See *Lord Herbert.*

Wulford, Ralph, personates Richard Plantagenet, earl of Warwick, iv. 318; taken and executed, ibid.

Wulphere, king of Mercia, i. 134; disastrous close of his reign, 135.

Wyat, Sir Thomas, engages in an insurrection against Mary, at the instigation of the earl of Devonshire, v. 422; defeats the royalists under Sir J. Jerningham, 423; endeavours to surprise Ludgate, 426; surrenders to Sir Maurice Berkeley, and carried to the Tower, 429; executed, 433.

Wycliffe, John, history of iii. 265; attacks the friars, 266; obtains the wardenship of Canterbury Hall, Oxford, from Archbishop Islep, ibid.; removed by Archbishop Langham, 267; his preferments, ibid.; he inveighs against the beneficed clergy, 268; is summoned before the primate, 269, 301; his three apologies. ibid.; petitions parliament, 303; his death, 305; doctrines, 306; his tenets relative to the seven sacraments, 308; to matrimony, 309; to the doctrine of purgatory, &c. 310; his translation of the Bible, ibid.

Wydeville, Lord Rivers, marries the duchess of Bedford, iv. 50; made prisoner by the duke of Gloucester, 223; his death, 227; and will, ibid. *note.*

Yellow plague, ravages of, in the seventh century, i. 118.

York, city of, taken by the Northmen in the ninth century, i. 183; by the Danes, 449; besieged and plundered by the Conqueror, 451; Edward II. takes refuge from the Scots, who pursue him to the gates, iii. 55.

——, archbishop of, in the reign of Richard II., accused of treason by the duke of Gloucester and his confederates, iii. 330; conceals himself, 335; accepts a curacy in Flanders, ibid. *note.*

——, Scrope, archbishop of. See *Scrope.*

——, George Neville, archbishop of, brother to the earls of Warwick and Northumberland, raised from the see of Exeter, iv. 156; Edward IV. committed to his custody by Warwick and Clarence, 166; afterwards invites him to an entertainment with a treacherous design, 171; imprisoned by Edward, and his property confiscated, 194.

York, Edmund, duke of, uncle to Richard II., appointed regent during the king's absence in Ireland, iii. 356, 381; espouses the duke of Lancaster's cause, 383.

——, Richard, duke of, obliged to exchange the regency of France for Ireland, iv. 84; returns to England, and conducts himself insolently towards Henry VI. 102; proposed in parliament as heir apparent, 103; made protector in consequence of Henry's imbecility, 110; his authority terminated by the king's recovery, 111; he raises his standard and defeats the royalists at the battle of St. Alban's, 112; becomes protector a second time, 115; complaints against him on Henry's recovery, ibid.; condemned to pay a fine to the duchess of Somerset, 118; joins the earl of Salisbury after the battle of Bloreheath, 120; flees to Ireland, 122; claims the crown after the defeat of the Lancastrians, and the king's being made prisoner, 126; objections made by the Lords, 128; he is declared heir apparent, 130; is slain at the battle of Wakefield, 131.

——, Edward, duke of (Edward IV.), son of the preceding, defeats the earl of Pembroke at Mortimer's Cross, iv. 132; Henry VI. orders his arrest, 133; but he proceeds to London, and is proclaimed king, 134. See *Edward IV.*

——, Sir Roland, persuades Sir W. Stanley to give up the fort of Daventer to Philip as the lawful sovereign, vi. 486.

——, James, duke of, son of Charles I., serves under Turenne, viii. 484; appointed by Mazarin captain-general in the army of Italy, ibid.; commanded by his brother to resign, 485; and to dismiss Sir J. Berkeley whom he follows to France, ibid.; returns to Bruges, ibid.; commands the English exiles against the allies under Turenne, 520; repulsed at Mardyke, 534; his gallantry at the battle of the Dunes, 536; but is obliged to save himself by flight, ibid.; it is proposed that he should land in Kent to aid a general rising of the royalists, 579; prevented by hearing of their being put down, 583; receives a grant of all the lands held in Ireland by the regicides, ix. 62, *note;* he privately marries Clarendon's daughter, 64; ceases to visit her in consequence of imputations on her character, 67; publicly acknowledges her, ibid.; accepts the office of governor of the African Company, 95; his application to business, 96; obtains a victory at sea over the Dutch, 106; Buckingham intrigues against him, 167; the duke becomes a Catholic, 170; the duke of Monmouth set up by Buckingham as a competitor for the crown in opposition to James, 178; James opposes the first divorce bill in favour of Lord Roos, 179; his intrepidity at the battle of Southwold Bay, 211, *note;* defeats De Ruyter in that engagement, 213; solicits the hand of the archduchess of Inspruck, 236, *note;* marries the princess of Modena, 239; takes the oath of allegiance, 245; designs formed against him, 249; he is averse to the proposed match between his daughter and the prince of Orange, 256; remonstrates against the severities shown to Catholics and dissenters, 260; openly opposes the ministers, 277; his daughter Mary marries the prince of Orange, 317; his advice for war against France adopted by the council, 339; urges the king to bring Titus Oates before the council, 351; the archbishop and other prelates sent to convert him, 398; he is ordered to quit the kingdom, and retires with the duchess to Brussels, ibid.; debate on the bill for his exclusion from the succession, 417; Monmouth attempts to prevent his return to England, 446; Charles invites him over, 447; he goes with his family to reside at Edinburgh, 449; recalled to London, 458; presented for recusancy by Shaftesbury, 459; suspects his enemies of designs for restoring republicanism, 467; the party against him gain over the duchess of Portsmouth, 470; he returns to Scotland, 472; the exclusion bill passed in the Commons, 479; but lost in the Lords, 481; Halifax's

project of a bill of limitations excluding him from holding office in England &c. x. 4; James refuses to take the tests, 10; the progress of the exclusion bill stopped by the sudden dissolution of parliament, 21; a plot by Shaftesbury for excluding him from the throne discovered, 35; he renders himself popular in Scotland, 44; is refused permission to return, ibid.; invited to Newmarket by Charles to arrange some provision out of his income for the duchess of Portsmouth, 54; wrecked on his return to Scotland, ibid.; brings his family to St. James's, ibid.; is reconciled with Sunderland, 57; Lord Russell petitions him to intercede for him, 70; he assures Monmouth of his pardon, 74; his daughter Anne married to Prince George of Denmark, 92; he is recalled to the council, 98; attends Charles during his last illness, 106; procures him a Catholic clergyman, 107; is proclaimed king on his brother's death, 117. See *James II.*

York, Anne Hyde, duchess of, privately married to the duke, ix. 64; the match disapproved of by the royal family, 65; she is delivered of a son, 66; is received at court, 67; her death, 195.

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